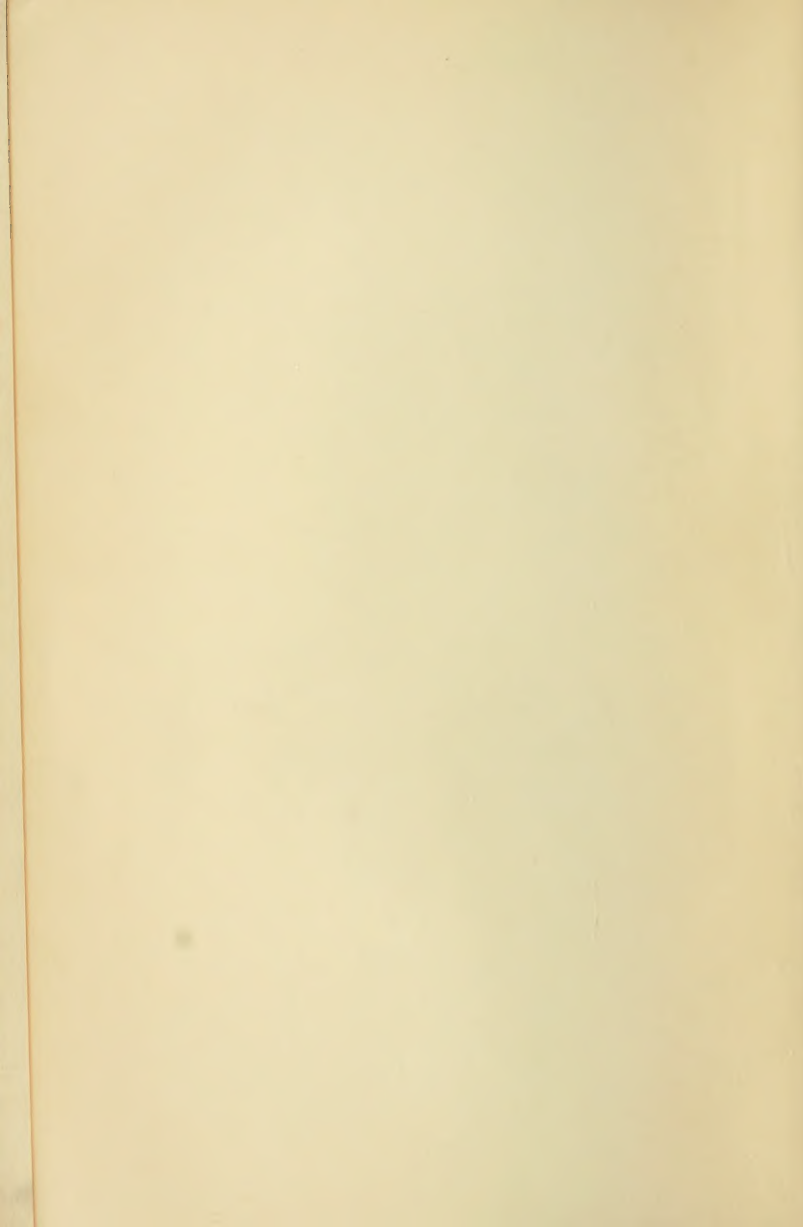


John Fletcher

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Clarendon Press Series

SELECT ORATIONS OF CICERO

J. R. KING

HENRY FROWDE, M.A.
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SELECT ORATIONS

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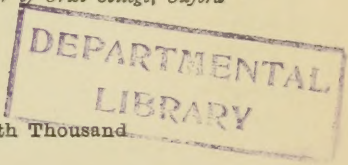
MARCUS TULLIUS CICERO

WITH ENGLISH NOTES

BY

JOHN R. KING, M.A.

Fellow and Tutor of Oriel College, Oxford



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P R E F A C E.

It is thought that the speeches in this volume may form a good introduction to the study of Cicero's Orations. Each of them is fairly easy in itself, and they illustrate very different phases of Cicero's career. In the action against Verres he appears in the character, very rare with him, of a public prosecutor, and he argues his case with the close reasoning of a man who has a strong position, combined with the reserve which is forced upon him, not by any considerations of mercy for the defendant, but by the necessity for economizing time. In the defence of Archias, on the contrary, he indulges not only in personal panegyric, but in general discussions which bear but little on the matter in hand. Though his case is put clearly enough, its technical merits contribute but a small portion to the subject of the speech, which is therefore interesting rather from a literary than a legal point of view. The speech *de Imperio Gnaei Pompeii* was the first political harangue which Cicero delivered from the Rostra, and it raised him at once to a high position among the statesmen of the day. His estimate of Pompey's character and capacity, if somewhat biassed and intensified by party feeling, is powerfully placed before his audience, and it is little wonder that a speech so skilfully arranged and so eloquently expressed should always have been a general favourite. The Ninth Philippic Oration, on the other hand, delivered within a few months of Cicero's

death, is comparatively little known. It is hoped that the insight which it gives us into the warmth of Cicero's feelings for his personal friends, and the simple unaffected eulogy on Sulpicius which it contains, will justify its place in this selection.

The text of the Orations is mainly taken from the edition of Cicero's works by Baiter and Kayser. It has not been thought desirable in an edition of this kind to dwell much on varieties of reading, and the notes are devoted principally to explanation and illustration. Grammatical references are made exclusively to Madvig's Latin Grammar. Much help has been obtained for the notes on the Orations *de Imperio Cn. Pompeii* and *pro Archia* from the German editions of Richter and Halm, and in the case of the former from those of Benecke and Gossrau.

OXFORD,
December, 1879.

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PRINCIPAL EVENTS IN THE LIFE OF CICERO.

B. C.

106. Birth of Cicero at Arpinum, Jan. 3.
91. Cicero assumed the 'toga virilis.'
81. Cicero delivered his first oration, *pro P. Quinctio*.
79. Cicero went to study philosophy and rhetoric at Athens.
77. Marriage of Cicero to Terentia.
75. Cicero quaestor in Sicily.
70. Action against Gaius Verres.
69. Cicero aedile.
66. Cicero praetor. Speech *de Imperio Cn. Pompeii*.
64. Marriage of Tullia to C. Piso.
63. Cicero consul. Catiline conspiracy.
61. Trial of A. Licinius Archias.
58. Cicero exiled.
57. His recall from exile.
56. Second marriage of Tullia, to Furius Crassipes.
53. Cicero elected augur.
51. Cicero proconsul in Cilicia.
50. *Supplicatio* in honour of Cicero. Third marriage of Tullia to P. Cornelius Dolabella.
49. Cicero returned to Rome, but retired to Greece when Caesar crossed the Rubicon.
47. Cicero was reconciled to Caesar, and returned to Rome.
45. Marriage of Cicero to Publilia, and their divorce. Death of Tullia.
44. Death of Caesar. Cicero delivered the First, Third, and Fourth Philippic Orations, and published the Second.
43. The remaining Philippic Orations. Cicero murdered at Formiae, Dec. 7.

INTRODUCTION

TO THE

FIRST ACTION AGAINST GAIUS VERRES.

1. IN B.C. 73, after holding the office of *praetor urbanus*, Gaius Verres was appointed *propraetor* of Sicily, and remained in command of that province for a period of three years. He had before distinguished himself in his several stages of official rank by inordinate rapacity, combined with a disregard of the most sacred obligations, but his excesses in Sicily went far beyond his previous misdeeds. It was one of the richest Roman provinces, and he appears to have considered it simply as a field for plunder. Even the money which was placed in his hands by the state was turned to his own purposes. He embezzled the sums entrusted to him for the corn supplies. He kept his fleet undermanned and ill-provided with stores, appropriating to himself the funds intended for its maintenance; and when this led to its being defeated at Pachynus by the pirates, he put its officers to death for cowardice. In his dealings with the Sicilians, every official act was an excuse for receiving bribes; and the people generally were harassed by extortionate exactions under the name of tithes (*decumae*) due to the republic. By the end of his term of office more than half the proprietors were ruined, and their lands abandoned, in the hopelessness of withstanding such oppression. To extortion he added open robbery, laying violent hands on every kind of treasure which came under his notice throughout the island, and especially on any works of art, not sparing even the temples of the gods. Nor were the persons of the inhabitants more respected. His profligacy and cruelty were alike

unscrupulous, and one Roman citizen, named Gavius, who ventured to threaten him with prosecution, he actually crucified.

2. At the close of his administration the leading Sicilians determined to prosecute him for extortion (*de pecuniis repetundis*), and invited Cicero to plead their cause. He had been *quaestor* at Lilybaeum in B.C. 75, and had won the esteem and confidence of the Sicilians by his disinterested honesty. But in a trial of this kind the appointment of the prosecutor rested with the court, and the first device which Verres tried was to obtain a prosecutor who would bring about his acquittal by wilfully mismanaging the case. Such an arrangement was not uncommon at Rome, and was called *praevaricatio*, the collusive accuser being *praevaricator*. Verres accordingly put forward one of his satellites, Q. Caccilius Niger, as a candidate for the post, and the first step in the legal proceedings was the decision between the rival claims of Caccilius and Cicero. This preliminary process was called *Divinatio*, and in the course of it Cicero delivered the first speech of the Verrine series, commonly known as *Divinatio in Q. Caecilium*, the result being a decision in his favour.

3. Verres now saw that his only hope of safety lay in corrupting the court. But the present season was not favourable for this. M. Glabrio, the *praetor* who would try the case, though somewhat deficient in energy, was scrupulously upright; and between good fortune, and his own care in challenging the jury, Cicero had secured a panel who were not susceptible of bribes. If, on the other hand, Verres could get the trial postponed till the ensuing year, the chances would be greatly in his favour. The notoriety of his crimes would lose its freshness; it was unlikely that so incorruptible a jury would be again obtained; his advocate, Q. Hortensius, would almost certainly be consul; and it was probable the new *praetor* would also be his friend. He therefore devoted all his energies to procuring delay, and this was in the first instance made more easy by the necessity of collecting evidence against him. Cicero was allowed 110 days for this purpose, whereupon Verres immediately arranged a prosecution of some unknown senator for extortion in Achaia, whose prosecutor declared that he could be ready two days earlier. His object was that this sham trial might obtain possession of the courts, and so postpone the action against himself. Cicero

baffled this design by the energy with which he made his own preparations, so that he was back in Rome within fifty days, and the trial actually began on the 5th of August, B.C. 70.

4. But all was not yet safe. In the meantime, Q. Hortensius had been elected consul, with Q. Metellus, another friend of Verres, for his colleague. M. Metellus, brother of the consul elect, was the new *praetor urbanus*, and L. Metellus, another brother, was *praetor* in Sicily. With all this influence on his side, Verres had great hopes of success, if only the trial could be protracted beyond the end of the year; and owing to the number of impending holidays, the intervening days available for the trial were ominously few. Moreover, the Metelli were already bringing their influence to bear in tampering with the Sicilian witnesses, and Cicero felt that no time was to be lost. He accordingly determined not to make a long opening address, but to proceed at once to the strongest part of his case, the examination of his witnesses. The present speech is therefore virtually an apology for adopting such a course, which was rendered absolutely necessary by the avowed intention of Verres to obtain a corrupt acquittal, and with this end in view to lengthen out the case. He warned the jury that they, as well as Verres, were on their trial at the present time. People were scandalized at the corruption of the senatorial *iudices*, as contrasted with the integrity of the knights, who had exercised the judicial functions from B.C. 123 to B.C. 81. Already proposals were on foot for giving back this privilege to its former possessors, and the transference would become inevitable, if a jury like the present one, composed of the best men whom the senate could provide, proved false to their judicial oath. Verres had great confidence in the prospects of delay, none in the justice of his case, and it was for them, by promptitude and integrity, to baffle his dishonest expectations. In full confidence of their support Cicero would postpone all comment on his case, and proceed at once to call his witnesses, after a formal statement of the indictment. This was that 'Gaius Verres, in addition to many other deeds of lust and cruelty, committed against Roman citizens and their allies, and besides many other acts of wickedness against gods and men, has in particular illegally carried off from Sicily forty million sesterces.'

5. The examination of witnesses occupied nine days, but at the end of the third day the case was so clear that Verres fled to Marseilles, and in his absence was condemned to exile and a heavy fine.

6. This ended the trial, and the remaining speeches of Cicero, five in number, were never delivered. They represent what Cicero would have said in the *Actio secunda*, after Verres had made his first reply to the charges brought against him, and were probably completed at the request of the Sicilians, in order that the public might be put in full possession of the facts. They give a detailed account of Verres' crimes, and present a picture of extortion, lust, and cruelty, which we can scarcely realise in our minds, but which, if we make some allowance for the colouring of an advocate, is probably in the main a true representation of his government.

7. The action against Verres and the prosecution of T. Munatius Plancus in B.C. 52 were the only two occasions on which Cicero undertook a public prosecution: and even in the present trial he seems to have looked on himself rather as defending the Sicilians than as prosecuting Verres.

8. The trial was before a *quaestio perpetua*, or standing commission for the trial of political or criminal offences, and the indictment was framed under the *Lex Cornelia de repetundis*, under which the penalty for extortion was *aquae et ignis interdictio*, the severest form of exile, together with pecuniary compensation to the persons wronged.

M. TULLII CICERONIS

IN C. VERREM ACTIO PRIMA.

1 1. QUOD erat optandum maxime, iudices, et quod unum
ad invidiam vestri ordinis infamiamque iudiciorum sedandam
maxime pertinebat, id non humano consilio, sed prope divi-
nitus datum atque oblatum vobis summo rei publicae tempore 5
videtur; inveteravit enim iam opinio perniciosa rei publicae
nobisque periculosa, quae non modo apud populum Romanum,
sed etiam apud exteris nationes omnium sermone percrebruit,
his iudiciis, quae nunc sunt, pecuniosum hominem, quamvis
2 sit nocens, neminem posse damnari: nunc in ipso discrimine
ordinis iudiciorumque vestrorum cum sint parati qui conti- 10
onibus et legibus hanc invidiam senatus inflammare conentur,
reus in iudicium adductus est C. Verres, homo vita atque
factis omnium iam opinione damnatus, pecuniae magnitudine
sua spe et praedicatione absolutus. Huic ego causae, iudices,
cum summa voluntate et exspectatione populi Romani actor 15
accessi, non ut augerem invidiam ordinis, sed ut infamiae
communi succurrerem; adduxi enim hominem in quo recon-
ciliare existimationem iudiciorum amissam, redire in gratiam
cum populo Romano, satis facere exteris nationibus possetis,
depeculatorem aerarii, vexatorem Asiae atque Pamphyliae, 20
praedonem iuris urbani, labem atque perniciem provinciae
3 Siciliae; de quo si vos vere ac religiose iudicaveritis, auc-
toritas ea, quae in vobis remanere debet, haerebit; sin istius

ingentes divitiae iudiciorum religionem veritatemque perfrerint, ego hoc tamen adsequar, ut iudicium potius rei publicae quam aut reus iudicibus aut accusator reo defuisse videatur.

- 5 2. Equidem ut de me confitear, iudices, cum multae mihi a C. Verre insidiae terra marique factae sint, quas partim mea diligentia devitarim, partim amicorum studio officioque reppulerim, numquam tamen neque tantum periculum mihi adire visus sum neque tanto opere pertimui, ut nunc in ipso
 10 iudicio; neque tantum me expectatio accusationis meae concursusque tantae multitudinis, quibus ego rebus vehementissime perturbor, commovet quantum istius insidiae nefariae, quas uno tempore mihi, vobis, M'. Glabrioni, populo Romano, sociis, exteris nationibus, ordini, nomini denique senatorio
 15 facere conatur: qui ita dicitur, eis esse metuendum, qui quod ipsis solis satis esset surripuissent, se tantum eripuisse, ut id multis satis esse possit; nihil esse tam sanctum quod non violari, nihil tam munitum quod non expugnari pecunia possit. Quodsi quam audax est ad conandum, tam esset obscurus
 20 in agendo, fortasse aliqua in re nos aliquando fefellisset; verum hoc adhuc percommode cadit, quod cum incredibili eius audacia singularis stultitia coniuncta est. Nam ut apertus in corripendis pecuniis fuit, sic in spe corrumpendi iudicii perspicua sua consilia conatusque omnibus fecit:
 25 semel ait se in vita pertimuisse, tum cum primum a me reus factus sit, quod cum e provincia recens esset invidiaeque et infamia non recenti, sed veteri ac diuturna flagraret, tum ad iudicium corrumpendum tempus alienum offenderet. Itaque
 30 cum ego diem inquirendi in Siciliam perexiguam postulavisssem, invenit iste qui sibi in Achaiam biduo brevioris diem postularet, non ut is idem conficeret diligentia et industria sua, quod ego meo labore et vigiliis consecutus sum: etenim ille Achaicus inquisitor ne Brundisium quidem pervenit; ego

Siciliam totam quinquaginta diebus sic obii, ut omnium populorum privatorumque litteras iuiuriasque cognoscerem; ut perspicuum cuivis esse posset hominem ab isto quaesitum esse non qui reum suum adduceret, sed qui meum tempus obsideret.

5

- 7 **3.** Nunc homo audacissimus atque amentissimus hoc cogitat: intelligit me ita paratum atque instructum in iudicium venire, ut non modo in auribus vestris, sed in oculis omnium sua furta atque flagitia defixurus sim; videt senatores multos esse testes audaciae suae, videt multos equites 10 Romanos, frequentes praeterea cives atque socios, quibus ipse insignes iniurias fecerit, videt etiam tot tam graves ab amicissimis civitatibus legationes cum publicis auctoritatibus con-
- 8 venisse: quae cum ita sint, usque eo de omnibus bonis male existimat, usque eo senatoria iudicia perditam profligataque 15 esse arbitratur, ut hoc palam dicitur, non sine causa se cupidum pecuniae fuisse, quoniam in pecunia tantum praesidium experiatur esse: sese, id quod difficillimum fuerit, tempus ipsum emisse iudicii sui, quo cetera facilius emere postea posset; ut quoniam criminum vim subterfugere nullo modo 20
- 9 poterat, procellam temporis devitaret. Quod si non modo in causa, verum in aliquo honesto praesidio aut in alicuius eloquentia aut gratia spem aliquam conlocasset, profecto non haec omnia conligeret atque aucuparetur, non usque eo despiceret contemneretque ordinem senatorium, ut arbitratu 25 eius deligeretur ex senatu qui reus fieret, qui, dum hic quae opus essent compararet, causam interea ante eum diceret.
- 10 Quibus ego rebus quid iste speret et quo animum intendat facile perspicio; quam ob rem vero se confidat aliquid proficere posse hoc praetore et hoc consilio intellegere non 30 possum: unum illud intellego, quod populus Romanus in reiectione iudicium iudicavit, ea spe istum fuisse praeditum, ut omnem rationem salutis in pecunia constitueret; hoc

erepto praesidio, ut nullam sibi rem adiumento fore arbitra-
retur.

4. Etenim quod est ingenium tantum, quae tanta facultas
dicendi aut copia, quae istius vitam tot vitiis flagitiisque con-
5 victam, iam pridem omnium voluntate iudicioque damnatam
aliqua ex parte possit defendere? Cuius ut adolescentiae 11
maculas ignominiasque praeteream, quaestura primus gradus
honoris quid aliud habet in se nisi Cn. Carbonem spoli-
atum a quaestore suo pecunia publica nudatum et proditum
10 consulem, desertum exercitum, relictam provinciam, sortis
necessitudinem religionemque violatam? Cuius legatio exi-
tium fuit Asiae totius et Pamphyliae; quibus in provinciis
multas domos, plurimas urbes, omnia fana depopulatus est
tum, cum in Cn. Dolabellam suum scelus illud pristinum
15 renovavit et instauravit quaestorium, cum eum, cui et legatus
et pro quaestore fuisset, et in invidiam suis maleficiis adduxit
et in ipsis periculis non solum deseruit, sed etiam oppug-
navit ac prodidit; cuius praetura urbana aedium sacrarum 12
fuit publicorumque operum depopulatio, simul in iure dicundo
20 bonorum possessionumque contra omnium instituta addictio
et condonatio. Iam vero omnium vitiorum suorum plurima
et maxima constituit monumenta et indicia in provincia
Sicilia, quam iste per triennium ita vexavit ac perdidit, ut ea
restitui in antiquum statum nullo modo possit, vix autem per
25 multos annos innocentesque praetores aliqua ex parte recreari
aliquando posse videatur. Hoc praetore Siculi neque suas 13
leges neque nostra senatus consulta neque communia iura
tenuerunt: tantum quisque habet in Sicilia, quantum hominis
avarissimi et libidinosissimi aut imprudentiam subterfugit aut
30 satietati superfuit.

5. Nulla res per triennium nisi ad nutum istius iudicata
est, nulla res cuiusquam tam patria atque avita fuit quae non
ab eo imperio istius abiudicaretur. Innumerabiles pecuniae

ex aratorum bonis novo nefarioque instituto coactae, socii fidelissimi in hostium numero existimati, cives Romani servilem in modum cruciati et necati, homines nocentissimi propter pecunias iudicio liberati, honestissimi atque integerimi absentes rei facti indicta causa damnati et eiecti, portus 5 munitissimi, maximae tutissimaeque urbes piratis praedonibusque patefactae, nautae militesque Siculorum socii nostri atque amici fame necati, classes optimae atque opportunissimae cum magna ignominia populi Romani amissae et per-
14 ditae. Idem iste praetor monumenta antiquissima partim 10 regum locupletissimorum, quae illi ornamento urbibus esse voluerunt, partim etiam nostrorum imperatorum, quae victores civitatibus Siculis aut dederunt aut reddiderunt, spoliavit nudavitque omnia; neque hoc solum in status ornamentisque publicis fecit, sed etiam delubra omnia sanctissimis 15 religionibus consecrata depeculatus est, deum denique nullum Siculis qui ei paulo magis adfabre atque antiquo artificio factus videretur reliquit. In stupris vero et flagitiis nefarias eius libidines commemorare pudore deterreo; simul illorum calamitatem commemorando augere nolo, quibus 20 liberos coniugesque suas integras ab istius petulantia conservare non licitum est. At enim haec ita commissa sunt ab
15 isto, ut non cognita sint ab hominibus: hominem arbitrari esse neminem qui nomen istius audierit quin facta quoque eius nefaria commemorare possit, ut mihi magis timendum 25 sit ne multa crimina praetermittere quam ne qua in istum fingere existimer; neque enim mihi videtur haec multitudo, quae ad audiendum convenit, cognoscere ex me causam voluisse, sed ea, quae scit, mecum recognoscere.

6. Quae cum ita sint, iste homo amens ac perditus alia 30 mecum ratione pugnat: non id agit ut alicuius eloquentiam mihi opponat, non gratia, non auctoritate cuiusquam, non potentia nititur. Simulat his se rebus confidere, sed video

quid agat, neque enim agit occultissime : proponit inania mihi nobilitatis, hoc est, hominum adrogantium nomina, qui non tam me impediunt, quod nobiles sunt, quam adiuvant, quod noti sunt. Simulat se eorum praesidio confidere, cum
 5 interea aliud quiddam iam diu machinetur. Quam spem 15
 nunc habeat in manibus et quid molietur breviter iam, iudices, vobis exponam ; sed prius ut ab initio res ab eo constituta sit, quaeso, cognoscite : ut primum e provincia rediit, redemptio est huius iudicii facta grandi pecunia. Mansit in
 10 condicione atque pacto usque ad eum finem, dum iudices reiecti sunt ; postea quam reiectio iudicum facta est, quod et in sortitione istius spem fortuna populi Romani et in reiciendis iudicibus mea diligentia istorum impudentiam vicerat, renuntiata est tota condicio. Praeclare se res habebat : 17
 15 libelli nominum vestrorum consiliique huius in manibus erant omnium, nulla nota, nullus color, nullae sordes videbantur his sententiis adlini posse, cum iste repente ex alacri atque laeto sic erat humilis atque demissus, ut non modo populo Romano, sed etiam sibi ipse condemnatus videretur.
 20 Ecce autem repente, his diebus paucis, comitiis consularibus factis, eadem illa vetera consilia pecunia maiore repetuntur eademque vestrae famae fortunisque omnium insidiae per eosdem homines comparantur. Quae res primo, iudices, pertenui nobis argumento indicioque patefacta est ; post
 25 aperto suspicionis introitu ad omnia intima istorum consilia sine ullo errore pervenimus.

7. Nam ut Hortensius consul designatus domum reduce- 18
 batur e campo cum maxima frequentia ac multitudine, fit obviam casu ei multitudini C. Curio, quem ego hominem
 30 honoris potius quam contumeliae causa nominatum volo : etenim ea dicam, quae ille si commemorari noluisset, non tanto in conventu tam aperte palamque dixisset, quae tamen
 a me pedetemptim cauteque dicentur, ut et amicitiae nostrae

19 et dignitatis illius habita ratio esse intellegatur. Videt ad ipsum fornicem Fabianum in turba Verrem; appellat hominem et ei voce maxima gratulatur; ipsi Hortensio, qui consul erat factus, propinquis necessariisque eius, qui tum aderant, verbum nullum facit; cum hoc consistit, hunc am- 5
plexatur, hunc iubet sine cura esse: 'renuntio' inquit 'tibi te hodiernis comitiis esse absolutum.' Quod cum tam multi homines honestissimi audissent, statim ad me defertur: immo vero, ut quisque me viderat, narrabat. Aliis illud indignum, aliis ridiculum videbatur: ridiculum eis, qui istius causam in 10
testium fide, in criminum ratione, in iudicum potestate, non in comitiis consularibus positam arbitrabantur; indignum eis, qui altius aspiciebant et hanc gratulationem ad iudicium cor-
20 rumpendum spectare videbant. Etenim sic ratiocinabantur, sic honestissimi homines inter se et mecum loquebantur: 15
aperte iam et perspicue nulla esse iudicia; qui reus pridie iam ipse se condemnatum putabat, is, postea quam defensor eius consul est factus, absolvitur. Quid igitur? Quod tota Sicilia, quod omnes Siculi, omnes negotiatores, omnes publicae privataeque litterae Romae sunt, nihilne id valebit? 20
Nihil invito consule designato. Quid, iudices non crimina, non testes, non existimationem populi Romani sequentur? Non: omnia in unius potestate ac moderatione vertentur.

8. Vere loquar, iudices: vehementer me haec res commovebat. Optimus enim quisque ita loquebatur: 'iste 25
quidem tibi eripietur, sed nos non tenebimus iudicia diutius; etenim quis poterit Verre absoluto de transferendis iudiciis
21 recusare?' Erat omnibus molestum; neque eos tam istius hominis perditae subita laetitia quam hominis amplissimi nova gratulatio commovebat. Cupiebam dissimulare me id moleste 30
ferre; cupiebam animi dolorem voltu tegere et taciturnitate celare. Ecce autem illis ipsis diebus, cum praetores designati sortirentur et M. Metello obtigisset, ut is de pecuniis

repetundis quaereret, nuntiatur mihi tantam isti gratulationem esse factam, ut is domum quoque pueros mitteret qui uxori suae nuntiarent. Sane ne haec quidem mihi res placebat : 22 neque tamen tanto opere quid in hac sorte metuendum mihi
 5 esset intellegebam. Unum illud ex hominibus certis, ex quibus omnia comperi, reperiēbam : fiscos complures cum pecunia Siciliensi a quodam senatore ad equitem Romanum esse translatos ; ex his quasi decem fiscos ad senatorem illum relictos esse comitorum meorum nomine ; divisores
 10 omnium tribuum noctu ad istum vocatos. Ex quibus 23 quidam, qui se omnia mea causa debere arbitrabatur, eadem illa nocte ad me venit ; demonstrat qua iste oratione usus esset ; commemorasse istum quam liberaliter eos tractasset etiam antea, cum ipse praeturam petisset, et proximis con-
 15 sularibus praetoriisque comitiis ; deinde continuo esse pollicitum quantam vellent pecuniam, si me aedilitate deiecissent. Hic alios negasse audere, alios respondisse non putare id perfici posse ; inventum tamen esse fortem amicum ex eadem familia, Q. Verrem, Romilia, ex optima divisorum
 20 disciplina, patris istius discipulum atque amicum, qui HS quingentis milibus depositis id se perfecturum polliceretur, et fuisse tum non nullos qui se una facturos esse dicerent. Quae cum ita essent, sane benevolo animo me ut magno opere caverem praemonebat.

25 9. Sollicitabar rebus maximis uno atque eo perexiguo 24 tempore : urgebant comitia, et in eis ipsis oppugnabar grandi pecunia ; instabat iudicium ; ei quoque negotio fisci Sicilienses minabantur. Agere quae ad iudicium pertinebant libere comitorum metu deterrebar ; petitioni toto animo ser-
 30 vire propter iudicium non licebat ; minari denique divisoribus ratio non erat, propterea quod eos intellegere videbam me hoc iudicio districtum atque obligatum futurum. Atque hoc 25 ipso tempore Siculis denuntiatum esse audio, primum ab

Hortensio, domum ad illum ut venirent: Siculos in eo sane liberos fuisse, qui quam ob rem arcesserentur cum intellegerent, non venisse. Interea comitia nostra, quorum iste se, ut ceterorum hoc anno comitiorum, dominum esse arbitrabatur, haberi coepta sunt. *Cursare iste homo potens cum* 5 *filio blando et gratioso circum tribus: paternos amicos, hoc est, divisores appellare omnes et convenire: quod cum esset intellectum et animadversum, fecit animo libentissimo populus Romanus, ut cuius divitiae me de fide deducere non* 26 *potuissent, ne eiusdem pecunia de honore deiceret. Postea* 10 *quam illa petitionis magna cura liberatus sum, animo coepi multo magis vacuo ac soluto nihil aliud nisi de iudicio agere et cogitare. Reperio, iudices, haec ab istis consilia inita et constituta, ut, quacumque posset ratione, res ita duceretur, ut apud M. Metellum praetorem causa diceretur; in eo esse* 15 *haec commoda: primum M. Metellum amicissimum, deinde Hortensium consulem non solum, sed etiam Q. Metellum, qui quam isti sit amicus attendite: dedit enim praerogativam suae voluntatis eius modi, ut isti pro praerogativis eam* 27 *reddidisse videatur; an me taciturnum tantis de rebus existimavistis et me in tanto rei publicae existimationisque meae periculo cuiquam consulturum potius quam officio et dignitati meae? Arcessit alter consul designatus Siculos; veniunt non nulli, propterea quod L. Metellus esset praetor in Sicilia: cum his ita loquitur: se consulem esse; fratrem suum* 25 *alterum Siciliam provinciam obtinere, alterum esse quaesiturum de pecuniis repetundis; Verri ne noceri possit multis rationibus esse provisum.*

28 10. Quid est, quaeso, Metelle, iudicium corrumpere, si hoc non est? Testes, praesertim Siculos timidos homines 30 et adflictos, non solum auctoritate deterrere, sed etiam consulari metu et duorum praetorum potestate? Quid faceres pro innocente homine et propinquo, cum propter hominem

perditissimum atque alienissimum de officio ac dignitate decedis et committis, ut, quod ille dicitur, alicui, qui te ignoret, verum esse videatur? Nam hoc Verrem dicere 29 aiebant, te non fato, ut ceteros ex vestra familia, sed opera
 5 sua consulem factum. Duo igitur consules et quaesitor erunt ex illius voluntate; 'non solum effugiemus' inquit 'hominem in quaerendo nimium diligentem, nimium servientem populi existimationi, M'. Glabrimonem; accedet etiam nobis illud: iudex est M. Caesonius, conlega nostri accu-
 10 satoris, homo in rebus iudicandis spectatus et cognitus, quem minime expediat esse in eo consilio, quod conemur aliqua ratione corrumpere; propterea quod iam antea, cum iudex in Iuniano consilio fuisset, turpissimum illud facinus non solum graviter tulit, sed etiam in medium protulit: hunc
 15 iudicem ex Kal. Ianuariis non habebimus; Q. Manlium et 30 Q. Cornificium, duos severissimos atque integerrimos iudices, quod tribuni plebis tum erunt, iudices non habebimus; P. Sulpicius, iudex tristis et integer, magistratum ineat oportet Nonis Decembribus, M. Crepereius ex acerrima illa
 20 equestri familia et disciplina, L. Cassius ex familia cum ad ceteras res tum ad iudicandum severissima, Cn. Tremellius homo summa religione et diligentia, tres hi homines veteres tribuni militares sunt designati: ex Kal. Ianuariis non iudicabunt. Subsortiemur etiam in M. Metelli locum, quoniam
 25 is huic ipsi quaestioni praefuturus est: ita secundum Kalendas Ianuarias et praetore et prope toto consilio commutato magnas accusatoris minas magnamque expectationem iudicii ad nostrum arbitrium libidinemque eludemus.' Nonae sunt 31 hodie Sextiles; hora VIII convenire coepistis: hunc diem iam
 30 ne numerant quidem. Decem dies sunt ante ludos votivos, quos Cn. Pompeius facturus est: hi ludi dies quindecim auferent; deinde continuo Romani consequentur: ita prope XL diebus interpositis, tum denique se ad ea, quae a nobis

dicta erunt, responsuros esse arbitrantur ; deinde se ducturos et dicendo et excusando facile ad ludos Victoriae ; cum his plebeios esse coniunctos, secundum quos aut nulli aut perpauci dies ad agendum futuri sunt : ita defessa ac refrigerata accusatione rem integram ad M. Metellum praetorem esse 5 venturam : quem ego hominem, si eius fidei diffisus essem, 32 iudicem non retinuissem ; nunc tamen hoc animo sum, ut eo iudice quam praetore hanc rem transigi malim et iurato suam quam iniurato aliorum tabellas committere.

11. Nunc ego, iudices, iam vos consulo quid mihi facien- 10 dum putetis ; id enim consilii mihi profecto taciti dabit, quod egomet mihi necessario capiendum intellego : si utar ad dicendum meo legitimo tempore, mei laboris, industriae diligentiaeque capiam fructum et ex accusatione perficiam ut nemo umquam post hominum memoriam paratior, vigi- 15 lantior, compositior ad iudicium venisse videatur ; sed in hac laude industriae meae reus ne elabatur summum periculum est. Quid est igitur quod fieri possit ? Non obscurum, 33 opinor, neque absconditum : fructum istum laudis, qui ex perpetua oratione percipi potuit, in alia tempora reservemus : 20 nunc hominem tabulis, testibus, privatis publicisque litteris auctoritatibusque accusemus. Res omnis mihi tecum erit, Hortensi ; dicam aperte : si te mecum dicendo ac diluendis criminibus in hac causa contendere putarem, ego quoque in accusando atque in explicandis criminibus operam consume- 25 rem ; nunc quoniam pugnare contra me instituisti, non tam ex tua natura quam ex istius tempore et causa malitiose, 34 necesse est istius modi rationi aliquo consilio obsistere. Tua ratio est ut secundum binos ludos mihi respondere incipias, mea ut ante primos ludos comperendinem ; ita fiet ut tua 30 ista ratio existimetur astuta, meum hoc consilium necessarium.

12. Verum illud, quod institueram dicere, mihi rem tecum

esse, huius modi est: ego cum hanc causam Siculorum rogatu recepissem idque mihi amplum et praeclarum existissem, eos velle meae fidei diligentiaeque periculum facere, qui innocentiae abstinenciaeque fecissent, tum suscepto
 5 negotio maius quiddam mihi proposui, in quo meam in rem publicam voluntatem populus Romanus perspicere posset; nam illud mihi nequaquam dignum industria conatuque meo
 35 videbatur, istum a me in iudicium iam omnium iudicio condemnatum vocari, nisi ista tua intolerabilis potentia et ea
 10 cupiditas, qua per hosce annos in quibusdam iudiciis usus es, etiam in istius hominis desperati causa interponeretur. Nunc vero, quoniam haec te omnis dominatio regnumque iudiciorum tanto opere delectat et sunt homines, quos libidinis infamiaeque suae neque pudeat neque taedeat, qui quasi
 15 de industria in odium offensionemque populi Romani intruere videantur, hoc me profiteor suscepisse magnum fortasse onus et mihi periculosissimum, verum tamen dignum in quo omnes nervos aetatis industriaeque meae contenderem: quoniam
 36 totus ordo paucorum improbitate et audacia premitur et
 20 urgetur infamia iudiciorum, profiteor huic generi hominum me inimicum accusatorem, odiosum, adsiduum, acerbum adversarium; hoc mihi sumo, hoc mihi deposco, quod agam in magistratu, quod agam ex eo loco, ex quo me populus Romanus ex Kal. Ianuariis secum agere de re publica ac de
 25 hominibus improbis voluit; hoc munus aedilitatis meae populo Romano amplissimum pulcherrimumque polliceor. Moneo, praedico, ante denuntio: qui aut deponere aut accipere aut recipere aut polliceri aut sequestres aut interpretes corrumpendi iudicii solent esse quique ad hanc rem
 30 aut potentiam aut impudentiam suam professi sunt, abstineant in hoc iudicio manus animosque ab hoc scelere nefario.

13. Erit tum consul Hortensius cum summo imperio et
 37 potestate, ego autem aedilis, hoc est, paulo amplius quam

privatus, tamen huius modi haec res est, quam me acturum esse polliceor, ita populo Romano grata atque iucunda, ut ipse consul in hac causa prae me minus etiam, si fieri possit, quam privatus esse videatur. Omnia non modo commemorabuntur, sed etiam expositis certis rebus agentur, quae inter
 5 decem annos, postea quam iudicia ad senatum translata sunt, 38 in rebus iudicandis nefarie flagitioseque facta sunt. Cognoscet ex me populus Romanus quid sit quam ob rem cum equester ordo iudicaret, annos prope quinquaginta continuos, in nullo iudice equite Romano iudicante ne tenuissima
 10 quidem suspitio acceptae pecuniae ob rem iudicandam constituta sit; quid sit quod iudiciis ad senatorium ordinem translatis sublataque populi Romani in unum quemque vestrum potestate Q. Calidius damnatus dixerit minoris HS
 15 triciens praetorium hominem honeste non posse damnari; 15 quid sit quod P. Septimio senatore damnato, Q. Hortensio praetore, de pecuniis repetundis lis aestimata sit eo nomine, 39 quod ille ob rem iudicandam pecuniam accepisset; quod in C. Herennio, quod in C. Popilio, senatoribus, qui ambo peculatus damnati sunt, quod in M. Atilio, qui de maiestate
 20 damnatus est, hoc planum factum sit, eos pecuniam ob rem iudicandam accepisse; quod inventi sint senatores, qui C. Verre praetore urbano sortiente exirent in eum reum, quem incognita causa condemnarent; quod inventus sit senator, qui cum iudex esset, in eodem iudicio et ab reo
 25 pecuniam acciperet quam iudicibus divideret et ab accusatore ut reum condemnaret. Iam vero quo modo ego illam labem, ignominiam calamitatemque totius ordinis conquerar, hoc factum esse in hac civitate, cum senatorius ordo iudicaret, ut discoloribus signis iuratorum hominum sententiae
 30 notarentur? Haec omnia me diligenter severeque acturum esse polliceor.

14. Quo me tandem animo fore putatis, si quid in hoc

ipso iudicio intellexero simili aliqua ratione esse violatum atque commissum? Cum planum facere multis testibus possim C. Verrem in Sicilia multis audientibus saepe dixisse, se habere hominem potentem, cuius fiducia provinciam spoliaret; neque sibi soli pecuniam quaerere, sed ita triennium illud praeturae Siciliensis distributum habere, ut secum praecclare agi diceret, si unius anni quaestum in rem suam converteret, alterum patronis et defensoribus traderet, tertium illum uberrimum quaestuosissimumque annum totum iudicibus reservaret. Ex quo mihi venit in mentem illud dicere, quod apud M'. Glabrimonem nuper cum in reiciundis iudicibus commemorassem, intellexi vehementer populum Romanum commoveri, me arbitrari fore uti nationes exterae legatos ad populum Romanum mitterent, ut lex de pecuniis repetundis iudiciumque tolleretur: si enim iudicia nulla sint, tantum unum quemque ablaturum putant, quantum sibi ac liberis suis satis esse arbitretur; nunc, quod eius modi iudicia sint, tantum unum quemque auferre, quantum sibi, patronis, advocatis, praetori, iudicibus satis futurum sit; hoc profecto infinitum esse: se avarissimi hominis cupiditati satis facere posse, nocentissimi victoriae non posse. O commemoranda iudicia praeclaramque existimationem nostri ordinis, cum socii populi Romani iudicia de pecuniis repetundis fieri nolunt, quae a maioribus nostris sociorum causa comparata sunt! an iste umquam de se bonam spem habuisset, nisi de vobis malam opinionem animo imbibisset? quo maiore etiam, si fieri potest, apud vos odio esse debet, quam est apud populum Romanum, cum in avaritia, scelere, periurio vos sui similes esse arbitretur.

15. Cui loco, per deos immortales, iudices, consulite ac providete. Moneo praedicoque id, quod intellego, tempus hoc vobis divinitus datum esse, ut odio, invidia, infamia, turpitudine totum ordinem liberetis. Nulla in iudiciis severitas,

nulla religio, nulla denique iam existimantur esse iudicia; itaque a populo Romano contemnimur, despici-
 44 diuturnaue iam flagramus infamia. Neque enim ullam
 aliam ob causam populus Romanus tribuniciam potestatem
 tanto studio requisivit, quam cum poscebat, verbo illam 5
 poscere videbatur, re vera iudicia poscebat; neque hoc
 Q. Catulum hominem sapientissimum atque amplissimum
 fugit, qui Cn. Pompeio viro fortissimo et clarissimo de tri-
 bunicia potestate referente cum esset sententiam rogatus,
 hoc initio est summa cum auctoritate usus: patres con- 10
 scriptos iudicia male et flagitiose tueri; quod si in rebus
 iudicandis populi Romani existimationi satis facere volu-
 issent, non tanto opere homines fuisse tribuniciam potest-
 45 atem desideraturos. Ipse denique Cn. Pompeius cum
 primum contionem ad urbem consul designatus habuit, ubi, 15
 id quod maxime exspectari videbatur, ostendit se tribuniciam
 potestatem restitutum, factus est in eo strepitus et grata
 contionis admurmuratio. Idem in eadem contione cum
 dixisset populatas vexatasque esse provincias, iudicia autem
 turpia ac flagitiosa fieri; ei rei se providere ac consulere 20
 velle, tum vero non strepitu, sed maximo clamore suam
 populus Romanus significavit voluntatem.

46 16. Nunc autem homines in speculis sunt, observant
 quem ad modum sese unus quisque nostrum gerat in reti-
 nenda religione conservandisque legibus. Vident adhuc 25
 post legem tribuniciam unum senatorem hominem vel tenu-
 issimum esse damnatum: quod tametsi non reprehendunt,
 tamen magno opere quod laudent non habent; nulla est
 enim laus ibi esse integrum, ubi nemo est qui aut possit aut
 47 conetur corrumpere: hoc est iudicium, in quo vos de reo, 30
 populus Romanus de vobis iudicabit; in hoc homine statu-
 etur, possitne senatoribus iudicantibus homo nocentissimus
 pecuniosissimusque damnari; deinde est eius modi reus in

quo homine nihil sit praeter summa peccata maximamque pecuniam, ut, si liberatus sit, nulla alia suspitio nisi ea quae turpissima est residere possit. Non gratia, non cognatione, non aliis recte factis, non denique aliquo mediocri vitio tot
 5 tantaque eius vitia sublevata esse videbuntur. Postremo ego 48
 causam sic agam, iudices, eius modi res, ita notas, ita testatas, ita magnas, ita manifestas proferam, ut nemo a vobis ut istum absolvatis per gratiam conetur contendere. Habeo autem certam viam atque rationem, qua omnes illorum
 10 conatus investigare et consequi possim; ita res a me agetur, ut in eorum consiliis omnibus non modo aures hominum, sed etiam oculi populi Romani interesse videantur. Vos 49
 aliquot iam per annos conceptam huic ordini turpitudinem atque infamiam delere ac tollere potestis: constat inter omnes
 15 post haec constituta iudicia, quibus nunc utimur, nullum hoc splendore atque hac dignitate consilium fuisse. Hic si quid erit offensum, omnes homines non iam ex eodem ordine alios magis idoneos, quod fieri non potest, sed alium omnino ordinem ad res iudicandas quaerendum arbitrabuntur.

20 17. Quapropter primum ab dis immortalibus, quod sperare 50
 mihi videor, hoc idem, iudices, opto, ut in hoc iudicio nemo improbus praeter eum, qui iam pridem inventus est, reperiat, deinde si plures improbi fuerint, hoc vobis, hoc populo Romano, iudices, confirmo, vitam mehercule mihi prius
 25 quam vim perseverantiamque ad illorum improbitatem persequendam defuturam.

Verum quod ego laboribus, periculis inimicitiisque meis 51
 tum, cum admissum erit, dedecus severe me persecuturum esse polliceor, id ne accidat, tu tua auctoritate, sapientia, diligencia, M'. Glabrio, potes providere. Suscipe causam iudiciorum, suscipe causam veritatis, integritatis, fidei, religionis, suscipe causam senatus, ut is hoc iudicio probatus cum populo Romano et in laude et in gratia esse possit. Cogita,

- qui sis, quo loco sis, quid dare populo Romano, quid reddere maioribus tuis debeas: fac tibi paternae legis Aciliae veniat in mentem, qua lege populus Romanus de pecuniis repetundis optimis iudiciis severissimisque iudicibus usus est.
- 52 Circumstant te summae auctoritates, quae te oblivisci laudis 5
domesticae non sinant, quae te noctes diesque commoneant fortissimum tibi patrem, sapientissimum avum, gravissimum socerum fuisse. Qua re si Glabrionis patris vim et acrimoniam ceperis ad resistendum hominibus audacissimis, si avi Scaevolae prudentiam ad prospiciendas insidias, quae 10
tuae atque horum famae comparantur, si soceri Scauri constantiam, ut ne quis te de vera et certa possit sententia demovere, intelletet populus Romanus integerrimo atque honestissimo praetore delectoque consilio nocenti reo magnitudinem pecuniae plus habuisse momenti ad suspicionem 15
criminis quam ad rationem salutis.
- 53 Mihi certum est non committere, ut in hac causa praetor nobis consiliumque mutetur. Non patiar rem in id tempus adduci, ut, quos adhuc servi designatorum consulum non moverunt, cum eos novo exemplo universos arcesserent, 20
eos tum lictores consulum vocent: ut homines miseri, antea socii atque amici populi Romani, nunc servi ac supplices, non modo ius suum fortunasque omnes eorum imperio amittant, verum etiam deplorandi iuris sui potestatem non
- 54 habeant. Non sinam profecto, causa a me perorata, quadraginta diebus interpositis, tum nobis denique responderi, cum accusatio nostra in oblivionem diuturnitate adducta sit; non committam ut tum haec res iudicetur, cum haec frequentia totius Italiae Roma discesserit, quae convenit uno tempore undique comitorum, ludorum censendique causa. 30
Huius iudicii et laudis fructum et offensionis periculum vestrum, laborem sollicitudinemque nostram, scientiam quid agatur memoriamque quid a quoque dictum sit omnium puto

esse oportere. Faciam hoc non novum, sed ab eis, qui 55
nunc principes nostrae civitatis sunt, ante factum, ut testibus
utar statim: illud a me novum, iudices, cognoscetis, quod
ita testes constituam, ut crimen totum explicem, ut ubi id
5 argumentis atque oratione firmavero, tum testes ad crimen
adcomodem, ut nihil inter illam usitatam accusationem
atque hanc novam intersit, nisi quod in illa tunc, cum
omnia dicta sunt, testes dantur, hic in singulas res dabuntur,
ut illis quoque eadem interrogandi facultas, argumentandi
10 dicendique sit. Si quis erit qui perpetuam orationem accu-
sationemque desideret, altera actione audiet; nunc id,
quod facimus—ea ratione facimus, ut malitiae illorum con-
silio nostro occurramus—necessario fieri intellegat. Haec 56
primae actionis erit accusatio: dicimus C. Verrem, cum
15 multa libidinese, multa crudeliter in cives Romanos atque in
socios, multa in deos hominesque nefarie fecerit, tum prae-
terea quadringentiens sestertium ex Sicilia contra leges
abstulisse: hoc testibus, hoc tabulis privatis publicisque auc-
toritatibus ita vobis planum faciemus, ut hoc statuatis, etiam
20 si spatium ad dicendum nostro commodo vacuosque dies
habuissemus, tamen oratione longa nihil opus fuisse. Dixi.

INTRODUCTION

TO THE

ORATION CONCERNING THE COMMAND OF GNAEUS POMPEIUS.

1. MITHRIDATES VI, surnamed Eupator, succeeded his father on the throne of Pontus in B.C. 120, being then about eleven years of age. His power is but very inadequately expressed by the name of the province from which he took his title. In the south he inherited also from his father the kingdom of Phrygia, and northwards he reckoned among his subjects the tribes of the Cimmerian Bosphorus as far as the Borysthenes, deriving no small portion of his soldiers from the hardy inhabitants of the Caucasus. Restless and ambitious in temperament, he was a general of consummate skill himself, and had secured a staff of experienced Greek and even Roman officers to lead his barbarian troops.

2. The earlier part of his reign was spent in extending and consolidating his power in the East, but he had from his boyhood conceived a grudge against the Romans, who had deprived him of his kingdom of Phrygia, which they themselves had given to his father. He first came into open collision with them in B.C. 93, when a dispute between himself and Nicomedes king of Bithynia, as supporting rival pretenders to the throne of Cappadocia, was referred to Rome for arbitration. The senate decided in favour of neither claimant, but allowed the Cappadocians to choose a ruler for themselves, and Ariobarzanes was elected king. In the same year he was driven from his throne by Tigranes king of Armenia, Mithridates' son-in-law, but was reinstated by Sulla, at that time praetor in Cilicia.

3. At the outbreak of the Social War, in B.C. 90, Mithridates

again expelled Ariobarzanes, and was again obliged to allow him to return; but soon afterwards, having received overtures of alliance from the insurgent Italians, and being at once encouraged by the disasters of the Roman troops in Italy, and irritated by perpetual attacks which the allies of Rome were making on his own borders, he resolved on open war. With this view he once more expelled Ariobarzanes, and being supported almost everywhere by the natives of the province, who were exasperated by Roman oppression, he defeated the Roman forces under Manius Aquilius, and very shortly overran the whole of Asia Minor. As a final act of vengeance he caused all the Romans resident in Asia to be massacred, to the number, according to the more moderate accounts, of 80,000 citizens.

4. These events caused a panic at Rome, and Sulla was sent with five legions to take the command against Mithridates. He was however detained for a time by intestine disturbances, and when he landed in Greece at the beginning of B.C. 87, Mithridates had already occupied Thrace and Macedonia, and sending Archelaus into Greece had even taken Athens. With the scanty troops at his command Sulla spent two years in recovering Athens, and driving the forces of Mithridates out of Greece. Meanwhile L. Valerius Flaccus was appointed by Cinna to supersede Sulla, who refused to give up the command. Not daring to contest the point in Greece, Flaccus resolved to carry on the war with Mithridates in Asia, but being very unpopular with his soldiers, he was murdered at Nicomedia in Bithynia, at the instigation of C. Flavius Fimbria, his second in command. Fimbria then led his army against the forces of Mithridates, which he defeated at every point, the king himself narrowly escaping capture, by the connivance of L. Lucullus. At this juncture Sulla appeared upon the scene, and having opened negotiations with Mithridates, concluded a peace with him in B.C. 84, on condition that he evacuated all the province of Asia, restored Nicomedes and Ariobarzanes to the thrones of Bithynia and Cappadocia, surrendered his fleet of seventy ships, and paid 2000 talents (nearly £500,000) as compensation for the expenses of the war.

5. In the following year L. Licinius Murena, who had been left in Asia in command of two legions, invaded Pontus in spite

of strict orders to the contrary, and was defeated with great loss by Mithridates on the Halys. As Murena persisted in his attack, the king appealed to Rome, and early in B.C. 81 Murena was recalled, and peace restored with Mithridates. In spite of the discredit attaching throughout to the campaign, Murena claimed a triumph, which was allowed him by the indulgence of his patron, who was now dictator.

6. It was evident that this peace had in it no elements of stability; and though for some years Mithridates occupied himself in strengthening his power at home, he seems to have been always on the watch for a favourable opportunity of seeking his revenge. In B.C. 75 he concluded an alliance with Sertorius, who was then successfully resisting the Roman generals in Spain, but his disasters commenced too soon to allow of his rendering any effectual assistance to the king. In B.C. 74 Nicomedes king of Bithynia died, and bequeathed his kingdom to the Romans. Mithridates alleged the existence of a legitimate son of Nicomedes, and on the plea of supporting the young heir in his claims, began a war which could only end in victory or ruin. He took possession of Bithynia, and when the two consuls, M. Aurelius Cotta and L. Licinius Lucullus, were both sent against him, he defeated the former both by sea and land at Chalcedon, and blockaded him in Cyzicus. The siege was raised by Lucullus, and the army of Mithridates entirely destroyed. This prosperous beginning Lucullus followed up by three years of unbroken success, and at the end of B.C. 71 all the country from the Halys to the Euphrates was subdued, and Mithridates was a fugitive in Armenia. At the same time Lucullus did even more to establish the Roman authority in the East by checking the extortion of the officials, and by initiating a series of reforms in the administration of his province.

7. The following year was not marked by any military operations, but in B.C. 69 Tigranes having refused to surrender Mithridates, Lucullus marched into Armenia, and gained a decisive victory over the Armenians at Tigranocerta. In B.C. 68, after a second victory over Tigranes, Lucullus met with his first check, in the refusal of his army to continue the pursuit. The mutinous spirit further developed itself in the following year, when Mithridates appeared again upon the scene, and defeated

L. Triarius, a *legatus* of Lucullus, at Zela on the Iris. Upon this the soldiers agreed to defend Pontus itself against Mithridates, but positively refused to undertake any further operations. About the same time Lucullus learned that M'. Acilius Glabrio, one of the consuls of the year, had been sent out by the popular party to succeed him; and though Glabrio practically declined to take up his command, yet the slight upon Lucullus naturally weakened his authority, and Mithridates was allowed to recover his power, not only in Pontus, but over Bithynia and Cappadocia. The result was that all the brilliant achievements of Lucullus were neutralized, and at the end of an eight years' war, marked by five years of almost unparalleled success, he found himself, for want of cordial support, exactly where he was at its beginning.

8. Such a state of things could not be looked on as satisfactory at Rome, and the public attention was presently bent on finding a new general to conduct the war. Glabrio was evidently inadequate to the position; the exploits of Lucullus were overshadowed by his recent reverses; and moreover his measures of reform had made him unpopular with those who looked on the provinces as a field for plunder and extortion.

9. In this emergency a bill was introduced by C. Manilius, a tribune of the commons, for conferring the supreme command of all the eastern provinces on Cn. Pompeius, confessedly the greatest general of the day. As Cicero points out in the midst of his speech, his life from very boyhood had been spent in arms. Born in B.C. 106, he served his first campaign under his father against the Italians in B.C. 89. In B.C. 83 he espoused the cause of Sulla, and having raised three legions by his personal influence, he defeated M. Brutus in Picenum, and was hailed by Sulla as *Imperator* at the age of twenty-three. In B.C. 81, though still only a simple *eques*, he was allowed a triumph for his successes over Cn. Domitius Ahenobarbus and Hiabas in Numidia. In B.C. 77 his reputation was so fully established, that, though he had held as yet no curule office, the senate sent him as proconsul into Spain, to share with Q. Metellus Pius the command against Sertorius. In this war his success was less marked: he gained no material advantages over his opponent, and the contest was only decided in his favour in consequence of the murder of Sertorius in B.C. 72.

10. In the following year he returned to Italy, and having quenched the embers of the Servile war, which had virtually been extinguished by M. Crassus, he triumphed for the second time, still as an *eques*, on Dec. 31.

11. On the next day he entered on his consulship, to which he had been elected with M. Crassus, though seven years below the legal age, and though he had previously held no other curule office. His consulship was marked by a general repeal of Sulla's institutions. He restored the privileges of the tribunes, including the right of initiating legislation. He took from the senate the exclusive right of furnishing the *iudices* in the *quaestiones perpetuae*, and by a law of L. Aurelius Cotta entrusted the judicial functions to the senators, *equites*, and *tribuni aerarii* in equal proportions. This last measure was doubtless facilitated by the exposures of senatorial corruption made on the trial of C. Verres. He also restored the censorship, which was administered with unusual firmness in this year by L. Gellius Publicola and Cn. Cornelius Lentulus. In the course of their proceedings, during the *recognitio equitum*, Pompey himself appeared before them, and made his claim to be discharged from further service. On being asked by Gellius whether he had gone through all the requisite campaigns, he replied, 'Yes, all of them, and every one as general of the army in which I served¹.'

12. At the end of his consulship, instead of accepting the government of a province, Pompey remained quietly for two years in Rome, apparently waiting for some further occasion of extraordinary distinction.

13. This presented itself in B.C. 67, in the panic caused by the Cilician pirates. Encouraged probably by Mithridates, and unmolested by the provincials, they had developed an organized system, under which Roman commerce was paralyzed, the city threatened with famine through the stoppage of the corn supplies, and the shores and roads of Italy itself made insecure. L. Murena and P. Servilius Vatia Isauricus had tried ineffectually to restrain them, and A. Gabinius at last proposed that 'one of the consulars' should be invested for the purpose with absolute au-

• ¹ Πάσας ἐστράτευμαι καὶ πάσας ὑπ' ἑμαντῶ αὐτοκράτορι, Plut. Pomp. c. 22.

thority over the Mediterranean coasts, and for fifty miles inland. Although no name was specified, it was clear that such an unprecedented command could be given to no one else but Pompey, and even to him it was not granted without strenuous opposition, headed by Q. Catulus and Q. Hortensius. Gabinius however carried his bill, and the event fully justified the appointment. In none of his campaigns did Pompey show greater judgment, or meet with more complete success. In the spring of B.C. 66, with the aid of twenty-four *legati*, he cleared the western coasts of the Mediterranean within the space of forty days. In forty-nine days more he had completed his task and crushed the pirates everywhere.

14. The remainder of the year he spent in making a progress through Cilicia and Pamphylia, in the course of which he somewhat abused his commission, and interfered unwarrantably with the sphere of another Roman general, by receiving an offer of submission made by certain Cretan envoys. The war against Crete had been entrusted in B.C. 68 to Q. Metellus, who had brought it nearly to a successful issue, when Pompey was sent out with his plenary powers against the pirates. The Cretans, hoping for more lenient terms than Metellus was inclined to give, opened negotiations with Pompey, who not only accepted their submission, but sent two of his *legati* to occupy Crete in opposition to Metellus. This led to an unseemly contest in the island, which ended in the discomfiture of Pompey's representatives.

15. About the same time Manilius introduced his measure, which, like the Lex Gabinia, was resisted by the aristocratic party under Catulus and Hortensius. It was however supported by the people generally; Caesar and Crassus were in its favour; and Cicero contributed to its success by the first speech which he delivered before the Roman people in the Forum, B.C. 66.

16. In this he enlarges on the extent and importance of the war, and shows how signally Pompey was fitted to conduct it, not only by his military skill and personal courage, but by the strict integrity, temperance, and courtesy, which made him generally popular with the provincials. On these moral qualities he lays especial stress, as being exceptional among generals of that age, so that Pompey was really the only man who could be trusted to

conduct a war in which so much depended on the good-will of the subject provinces. Turning next to the objections raised by the opponents of the measure, he dismisses the argument of Hortensius against entrusting so much power to a single general, on the ground that it had been already disposed of in the debate on the Gabinian law, and practically confuted by the glorious consequences which ensued from it. To Catulus, who maintained that the proposal was unprecedented, he replies that the Roman people never waited for precedents in times of national danger, but that in fact there was no lack of them. To his objection that if Pompey failed there was no one to replace him, he says the people had already given a reply by indicating Catulus himself. After an appeal to the nobles not to thwart the people now, after receiving such cordial support from them in honouring Pompey on previous occasions, he ends his speech by urging Manilius to persevere in his proposal, which he himself supported from motives of the purest patriotism.

17. It has been observed that 'Cicero was pre-eminently fitted for the Oratory of panegyric¹;' and though this speech is somewhat wanting in the true ring of heartfelt cordiality which pervades the ninth Philippic, it would yet be difficult to find a loftier and more able panegyric than he here passes upon Pompey. How far Cicero was sincere in what he says has been greatly disputed; probably his motives could not easily have been analysed even by himself. On the one hand self-interest would induce him to side with the popular party, with a special view to his designs upon the consulship; he would not be unwilling to earn the gratitude of Pompey himself; and he would ingratiate himself with the equestrian order, by supporting a rival to Lucullus, who had thwarted the interests of the *publicani* in the East. On the other hand we may suppose that he really saw in Pompey the only general who could deal with the emergency, and that he was blinded to the danger of placing such enormous power in the hands of an ambitious man by the studied moderation which Pompey had recently displayed at Rome.

18. In the end, the proposal of Manilius was carried against an opposition which was little more than nominal, and Pompey was invested with almost autocratic powers in the East.

¹ Cruttwell, History of Roman Literature, p. 170.

M. TULLII CICERONIS

DE IMPERIO CN. POMPEII AD
QUIRITES ORATIO.

1. QUAMQUAM mihi semper frequens conspectus vester 1
multo iucundissimus, hic autem locus ad agendum amplissi-
mus, ad dicendum ornatissimus est visus, Quirites, tamen hoc
aditu laudis, qui semper optimo cuique maxime patuit, non
5 mea me voluntas adhuc, sed vitae meae rationes ab ineunte
aetate susceptae prohibuerunt: nam cum antea per aetatem
nondum huius auctoritatem loci attingere auderem statue-
remque nihil huc nisi perfectum ingenio, elaboratum industria
adferri oportere, omne meum tempus amicorum temporibus
10 transmittendum putavi. Ita neque hic locus vacuus umquam 2
fuit ab eis, qui vestram causam defenderent, et meus labor
in privatorum periculis caste integreque versatus ex vestro
iudicio fructum est amplissimum consecutus: nam cum propter
dilationem comitiorum ter praetor primus centuriis cunctis
15 renuntiatus sum, facile intellexi, Quirites, et quid de me
iudicaretis et quid aliis praescriberetis. Nunc cum et auc-
toritatis in me tantum sit, quantum vos honoribus mandandis
esse voluistis, et ad agendum facultatis tantum, quantum
1 homini vigilantanti ex forensi usu prope cotidiana dicendi exer-
20 citatio potuit adferre, certe et si quid auctoritatis in me est,
apud eos utar, qui eam mihi dederunt, et si quid in dicendo
consequi possum, eis ostendam potissimum, qui ei quoque

3 rei fructum suo iudicio tribuendum esse duxerunt. Atque illud in primis mihi laetandum iure esse video, quod in hac insolita mihi ex hoc loco ratione dicendi causa talis oblata est, in qua oratio deesse nemini possit: dicendum est enim de Cn. Pompeii singulari eximiaque virtute; huius autem 5 orationis difficilium est exitum quam principium invenire; ita mihi non tam copia quam modus in dicendo quaerendus est.

4 2. Atque ut inde oratio mea proficiscatur, unde haec omnis causa ducitur, bellum grave et periculosum vestris vectigalibus ac sociis a duobus potentissimis regibus infertur, 10 Mithridate et Tigraue, quorum alter relictus, alter lacessitus occasionem sibi ad occupandam Asiam oblatam esse arbitrantur. Equitibus Romanis, honestissimis viris, adferuntur ex Asia cotidie litterae, quorum magnae res aguntur in vestris vectigalibus exercendis occupatae; qui ad me pro necessi- 15 tudine, quae mihi est cum illo ordine, causam rei publicae periculaque rerum suarum detulerunt: Bithyniae, quae nunc vestra provincia est, vicos exustos esse complures; regnum Ariobarzani, quod finitimum est vestris vectigalibus, totum esse in hostium potestate; L. Lucillum magnis rebus gestis 20 ab eo bello discedere; huic qui successerit non satis esse paratum ad tantum bellum administrandum; unum ab omnibus sociis et civibus ad id bellum imperatorem deposci atque expeti, eundem hunc unum ab hostibus metui, praeterea neminem. 25

6 Causa quae sit videtis; nunc quid agendum sit considerate. Primum mihi videtur de genere belli, deinde de magnitudine, tum de imperatore deligendo esse dicendum.

Genus est belli eius modi, quod maxime vestros animos excitare atque inflammare ad persequendi studium debeat; 30 in quo agitur populi Romani gloria, quae vobis a maioribus cum magna in omnibus rebus tum summa in re militari tradita est; agitur salus sociorum atque amicorum, pro qua

multa maiores vestri magna et gravia bella gesserunt; aguntur certissima populi Romani vectigalia et maxima, quibus amissis et pacis ornamenta et subsidia belli requiretis; aguntur bona multorum civium, quibus est a vobis et ipsorum
5 et rei publicae causa consulendum.

3. Et quoniam semper appetentes gloriae praeter ceteras 7
gentes atque avidi laudis fuistis, delenda est vobis illa macula
Mithridatico bello superiore concepta, quae penitus iam
insedit ac nimis inveteravit in populi Romani nomine, quod
10 is, qui uno die tota in Asia, tot in civitatibus, uno nuntio
atque una significatione litterarum cives Romanos necandos
trucidandosque denotavit, non modo adhuc poenam nullam
suo dignam scelere suscepit, sed ab illo tempore annum iam
tertium et vicesimum regnat et ita regnat, ut se non Ponti
15 neque Cappadociae latebris occultare velit, sed emergere ex
patrio regno atque in vestris vectigalibus, hoc est, in Asiae
luce versari. Etenim adhuc ita nostri cum illo rege conten- 8
derunt imperatores, ut ab illo insignia victoriae, non victoriam
reportarent: triumphavit L. Sulla, triumphavit L. Murena de
20 Mithridate, duo fortissimi viri et summi imperatores, sed ita
triumpharunt, ut ille pulsus superatusque regnaret. Verum
tamen illis imperatoribus laus est tribuenda quod egerunt,
venia danda quod reliquerunt, propterea quod ab eo bello
Sullam in Italiam res publica, Murenam Sulla revocavit.

25 4. Mithridates autem omne reliquum tempus non ad obli- 9
vionem veteris belli, sed ad comparisonem novi contulit;
qui postea cum maximas aedificasset ornassetque classes
exercitusque permagnos quibuscumque ex gentibus potuisset
comparasset et se Bosporanis finitimis suis bellum inferre
30 simularet, usque in Hispaniam legatos ac litteras misit ad
eos duces, quibuscum tum bellum gerebamus, ut, cum duobus
in locis disiunctissimis maximeque diversis uno consilio a
binis hostium copiis bellum terra marique gereretur, vos

10 ancipiti contentione districti de imperio dimicaretis. Sed
 tamen alterius partis periculum, Sertorianae atque His-
 paniensis, quae multo plus firmamenti ac roboris habebat,
 Cn. Pompeii divino consilio ac singulari virtute depulsum
 est; in altera parte ita res a L. Lucullo summo viro est 5
 administrata, ut initia illa rerum gestarum magna atque prae-
 clara non felicitati eius, sed virtuti, haec autem extrema, quae
 nuper acciderunt, non culpa, sed fortunae tribuenda esse
 videantur. Sed de Lucullo dicam alio loco, et ita dicam,
 Quirites, ut neque vera laus ei detracta oratione mea neque 10
 11 falsa adficta esse videatur; de vestri imperii dignitate atque
 gloria, quoniam is est exorsus orationis meae, videte quem
 vobis animum suscipiendum putetis.

5. Maiores nostri saepe mercatoribus aut naviculariis
 nostris iniuriosius tractatis bella gesserunt: vos tot milibus 15
 civium Romanorum uno nuntio atque uno tempore necatis
 quo tandem animo esse debetis? legati quod erant appellati
 superbis, Corinthum patres vestri totius Graeciae lumen
 extinctum esse voluerunt; vos eum regem inultum esse
 patiemi, qui legatum populi Romani consularem vinculis 20
 ac verberibus atque omni supplicio excruciatum necavit? illi
 libertatem imminutam civium Romanorum non tulerunt: vos
 ereptam vitam neglegetis? ius legationis verbo violatum illi
 persecuti sunt: vos legatum omni supplicio interfectum
 12 relinquetis? Videte ne, ut illis pulcherrimum fuit tantam 25
 vobis imperii gloriam tradere, sic vobis turpissimum sit, id
 quod accepistis, tueri et conservare non posse.

Quid, quod salus sociorum summum in periculum ac dis-
 crimen vocatur, quo tandem animo ferre debetis? regno est
 expulsus Ariobarzanes rex, socius populi Romani atque 30
 amicus; imminent duo reges toti Asiae non solum vobis
 inimicissimi, sed etiam vestris sociis atque amicis; civitates
 autem omnes cuncta Asia atque Graecia vestrum auxilium

expectare propter periculi magnitudinem coguntur; imperatorem a vobis certum deposcere, cum praesertim vos alium miseritis, neque audent neque se id facere sine summo periculo posse arbitrantur. Vident et sentiunt hoc idem 13
 5 quod vos, unum virum esse, in quo summa sint omnia, et eum propter esse, quo etiam carent aegrius; cuius adventu ipso atque nomine, tametsi ille ad maritimum bellum venerit, tamen impetus hostium repressos esse intellegunt ac retardatos. Hi vos, quoniam libere loqui non licet, tacite rogant,
 10 ut se quoque, sicut ceterarum provinciarum socios, dignos existimetis, quorum salutem tali viro commendetis, atque hoc etiam magis, quod ceteros in provinciam eius modi homines cum imperio mittimus, ut etiam si ab hoste defendant, tamen ipsorum adventus in urbes sociorum non multum ab hostili
 15 expugnatione differant, hunc audiebant antea, nunc praesentem vident tanta temperantia, tanta mansuetudine, tanta humanitate, ut ei beatissimi esse videantur, apud quos ille diutissime commoratur.

6. Qua re si propter socios nulla ipsi iniuria lacessiti 14
 20 maiores nostri cum Antiocho, cum Philippo, cum Aetolis, cum Poenis bella gesserunt, quanto vos studio convenit iniuriis provocatos sociorum salutem una cum imperii vestri dignitate defendere, praesertim cum de maximis vestris vectigalibus agatur? Nam ceterarum provinciarum vectigalia,
 25 Quirites, tanta sunt, ut eis ad ipsas provincias tutandas vix contenti esse possimus, Asia vero tam opima est ac fertilis, ut et ubertate agrorum et varietate fructuum et magnitudine pastionis et multitudine earum rerum, quae exportantur, facile omnibus terris antecellat. Itaque haec vobis provincia,
 30 Quirites, si et belli utilitatem et pacis dignitatem retinere voltis, non modo a calamitate, sed etiam a metu calamitatis est defendenda; nam in ceteris rebus cum venit calamitas 15
 tum detrimentum accipitur; at in vectigalibus non solum

adventus mali, sed etiam metus ipse adfert calamitatem: nam cum hostium copiae non longe absunt, etiam si inruptio nulla facta est, tamen pecuaria relinquitur, agri cultura deseritur, mercatorum navigatio conquiescit; ita neque ex portu neque ex decumis neque ex scriptura vectigal conservari 5 potest: qua re saepe totius anni fructus uno rumore periculi atque uno belli terrore amittitur. Quo tandem igitur animo esse existimatis aut eos, qui vectigalia nobis pensitant, aut eos, qui exercent atque exigunt, cum duo reges cum maximis copiis propter adsint? Cum una excursio equitatus perbrevis 10 tempore totius anni vectigal auferre possit? Cum publicani familias maximas, quas in saltibus habent, quas in agris, quas in portibus atque custodiis, magno periculo se habere arbitrentur? Putatisne vos illis rebus frui posse, nisi eos, qui vobis fructui sunt, conservarit non solum, ut ante dixi, 15 calamitate, sed etiam calamitatis formidine liberatos?

7. Ac ne illud quidem vobis neglegendum est, quod mihi ego extremum proposueram, cum essem de belli genere diciturus, quod ad multorum bona civium Romanorum pertinet, quorum vobis pro vestra sapientia, Quirites, habenda est ratio 20 diligenter: nam et publicani, homines honestissimi atque ornatissimi, suas rationes et copias in illam provinciam contulerunt, quorum ipsorum per se res et fortunae vobis curae esse debent — etenim si vectigalia nervos esse rei publicae semper duximus, eum certe ordinem, qui exercet illa, firma- 25 mentum ceterorum ordinum recte esse dicemus —; deinde ex ceteris ordinibus homines gnavi atque industrii partim ipsi in Asia negotiantur, quibus vos absentibus consulere debetis, partim eorum in ea provincia pecunias magnas conlocatas habent. Est igitur humanitatis vestrae magnum numerum 30 eorum civium calamitate prohibere, sapientiae videre multorum civium calamitatem a re publica seiunctam esse non posse; etenim primum illud parvi refert, nos publicanis

amissis vectigalia postea victoria recuperare; neque enim isdem redimendi facultas erit propter calamitatem neque aliis voluntas propter timorem. Deinde quod nos eadem Asia 19 atque idem iste Mithridates initio belli Asiatici docuit, id 5 quidem certe calamitate docti memoria retinere debemus: nam tum, cum in Asia res magnas permulti amiserant, scimus Romae solutione impedita fidem concidisse; non enim possunt una in civitate multi rem ac fortunas amittere, ut non plures secum in eandem trahant calamitatem. A quo 10 periculo prohibete rem publicam et mihi credite, id quod ipsi videtis: haec fides atque haec ratio pecuniarum, quae Romae, quae in foro versatur, implicata est cum illis pecuniis Asiaticis et cohaeret; ruere illa non possunt, ut haec non eodem labefacta motu concidant. Qua re videte, num du- 15 bitandum vobis sit omni studio ad id bellum incumbere, in quo gloria nominis vestri, salus sociorum, vectigalia maxima, fortunae plurimorum civium coniunctae cum re publica defendantur.

8. Quoniam de genere belli dixi, nunc de magnitudine 20 pauca dicam. Potest hoc enim dici, belli genus esse ita necessarium, ut sit gerendum, non esse ita magnum, ut sit pertimescendum: in quo maxime elaborandum est ne forte ea vobis, quae diligentissime providenda sunt, contemnenda esse videantur. Atque ut omnes intellegant me L. Lucullo 25 tantum impertire laudis, quantum forti viro et sapienti homini et magno imperatori debeatur, dico eius adventu maximas Mithridati copias omnibus rebus ornatas atque instructas fuisse, urbemque Asiae clarissimam nobisque amicissimam, Cyzicenorum, obsessam esse ab ipso rege maxima multi- 30 tudine et oppugnatam vehementissime, quam L. Lucullus virtute, adsiduitate, consilio summis obsidionis periculis liberavit: ab eodem imperatore classem magnam et ornatam, 21 quae ducibus Sertorianis ad Italiam studio atque odio in-

flammata raperetur, superatam esse atque depressam; magnas hostium praeterea copias multis proeliis esse deletas patefactumque nostris legionibus esse Pontum, qui antea populo Romano ex omni aditu clausus fuisset; Sinopen atque Amisum, quibus in oppidis erant domicilia regis, omnibus 5 rebus ornatas ac refertas ceterasque urbes Ponti et Cappadociae permultas uno aditu adventuque esse captas, regem spoliatum regno patrio atque avito ad alios se reges atque ad alias gentes supplicem contulisse, atque haec omnia salvis populi Romani sociis atque integris vectigalibus esse gesta. 10 Satis opinor haec esse laudis atque ita, Quirites, ut hoc vos intellegatis, a nullo istorum, qui huic obtrectant legi atque causae, L. Lucillum similiter ex hoc loco esse laudatum.

22 9. Requiretur fortasse nunc quem ad modum, cum haec ita sint, reliquum possit magnum esse bellum. Cognoscite, 15 Quirites; non enim hoc sine causa quaeri videtur. Primum ex suo regno sic Mithridates profugit, ut ex eodem Ponto Medea illa quondam profugisse dicitur, quam praedicant in fuga fratris sui membra in eis locis, qua se parens persequeretur, dissipavisse, ut eorum conlectio dispersa maerorque 20 patrius celeritatem persequendi retardaret: sic Mithridates fugiens maximam vim auri atque argenti pulcherrimarumque rerum omnium, quas et a maioribus acceperat et ipse bello superiore ex tota Asia direptas in suum regnum congesserat, in Ponto omnem reliquit: haec dum nostri conligunt omnia 25 diligentius, rex ipse e manibus effugit; ita illum in persequendi studio maeror, hos laetitia tardavit. Hunc in illo timore et fuga Tigranes, rex Armenius, exceptit diffidentemque rebus suis confirmavit et afflictum erexit perditumque recreavit; cuius in regnum postea quam L. Lucillus cum 30 exercitu venit, plures etiam gentes contra imperatorem nostrum concitatae sunt; erat enim metus iniectus eis nationibus, quas numquam populus Romanus neque lacesendas bello

neque temptandas putavit; erat etiam alia gravis atque vehemens opinio, quae animos gentium barbararum pervaserat, fani locupletissimi et religiosissimi diripiendi causa in eas oras nostrum esse exercitum adductum; ita nationes multae atque magnae novo quodam terrore ac metu concitabantur. Noster autem exercitus, tametsi urbem ex Tigrani regno ceperat et proeliis usus erat secundis, tamen nimia longinquitate locorum ac desiderio suorum commovebatur. Hic iam plura non dicam; fuit enim illud extremum, ut ex eis locis a militibus nostris reditus magis maturus quam processio longior quaeretur. Mithridates autem et suam manum iam confirmarat, et eorum, qui se ex ipsius regno conlegerant, et magnis adventiciis auxiliis multorum regum et nationum iuvabatur. Iam hoc fere sic fieri solere accepimus, ut regum adflictae fortunae facile multorum opes adiciant ad misericordiam, maximeque eorum, qui aut reges sunt aut vivunt in regno, ut eis nomen regale magnum et sanctum esse videatur: itaque tantum victis efficere potuit, quantum incolumis numquam est ausus optare; nam cum se in regnum suum recepisset, non fuit eo contentus, quod ei praeter spem acciderat, ut illam, postea quam pulsus erat, terram umquam attingeret, sed in exercitum nostrum clarum atque victorem impetum fecit. Sinite hoc loco, Quirites, sicut poëtae solent, qui res Romanas scribunt, praeterire nostram calamitatem, quae tanta fuit, ut eam ad aures Luculli imperatoris non ex proelio nuntius, sed ex sermone rumor adferret. Hic in illo ipso malo gravissimaque belli offensione L. Lucullus, qui tamen aliqua ex parte eis incommodis mederi fortasse potuisset, vestro iussu coactus, qui imperii diuturnitati modum statuendum vetere exemplo putavistis, partem militum, qui iam stipendiis confecti erant, dimisit, partem M. Glabrioni tradidit. Multa praetereo consulto, sed ea vos coniectura perspicite, quantum illud bellum

factum putetis, quod coniungant reges potentissimi, renovent agitatae nationes, suscipiant integrae gentes, novus imperator noster accipiat vetere exercitu pulso.

27 10. Satis mihi multa verba fecisse videor, qua re esset hoc bellum genere ipso necessarium, magnitudine periculosum: 5 restat ut de imperatore ad id bellum deligendo ac tantis rebus praeficiendo dicendum esse videatur. Utinam, Quirites, virorum fortium atque innocentium copiam tantam haberetis, ut haec vobis deliberatio difficilis esset, quemnam potissimum tantis rebus ac tanto bello praeficiendum putaretis! Nunc 10 vero cum sit unus Cn. Pompeius, qui non modo eorum hominum, qui nunc sunt, gloriam, sed etiam antiquitatis memoriam virtute superarit, quae res est quae cuiusquam 28 animum in hac causa dubium facere possit? Ego enim sic existimo, in summo imperatore quattuor has res inesse 15 oportere, scientiam rei militaris, virtutem, auctoritatem, felicitatem.

Quis igitur hoc homine scientior umquam aut fuit aut esse debuit, qui e ludo atque e pueritiae disciplinis bello maximo atque acerrimis hostibus ad patris exercitum atque in militiae 20 disciplinam profectus est, qui extrema pueritia miles in exercitu fuit summi imperatoris, ineunte adulescentia maximi ipse exercitus imperator; qui saepius cum hoste conflixit quam quisquam cum inimico concertavit, plura bella gessit quam ceteri legerunt, plures provincias confecit quam alii 25 concupiverunt, cuius adulescentia ad scientiam rei militaris non alienis praeceptis, sed suis imperiis, non offensionibus belli, sed victoriis, non stipendiis, sed triumphis est erudita? Quod denique genus esse belli potest, in quo illum non exercuerit fortuna rei publicae? Civile, Africanum, Trans- 30 alpinum, Hispaniense, mixtum ex civitatibus atque ex bellicosissimis nationibus, servile, navale bellum, varia et diversa genera et bellorum et hostium, non solum gesta ab

hoc uno, sed etiam confecta, nullam rem esse declarant in usu positam militari, quae huius viri scientiam fugere possit.

11. Iam vero virtuti Cn. Pompeii quae potest oratio par 29
 inveniri? Quid est quod quisquam aut illo dignum aut vobis
 5 novum aut cuiquam inauditum possit adferre? Neque enim
 illae sunt solae virtutes imperatoriae, quae volgo existimantur,
 labor in negotiis, fortitudo in periculis, industria in agendo,
 celeritas in conficiendo, consilium in providendo; quae tanta
 sunt in hoc uno, quanta in omnibus reliquis imperatoribus,
 10 quos aut vidimus aut audivimus, non fuerunt. Testis est
 Italia, quam ille ipse victor L. Sulla huius virtute et subsidio 30
 confessus est liberatam; testis est Sicilia, quam multis un-
 dique cinctam periculis non terrore belli, sed consilii celeritate
 explicavit; testis est Africa, quae magnis oppressa hostium
 15 copiis eorum ipsorum sanguine redundavit; testis est Gallia,
 per quam legionibus nostris iter in Hispaniam Gallorum
 internicione patefactum est; testis est Hispania, quae sae-
 pissime plurimos hostes ab hoc superatos prostratosque con-
 spexit; testis est iterum et saepius Italia, quae cum servili
 20 bello taetro periculosoque premeretur, ab hoc auxilium
 absente expetivit, quod bellum expectatione eius attenuatum
 atque imminutum est, adventu sublatum ac sepultum; testes 31
 nunc vero iam omnes orae atque omnes exterae gentes ac
 nationes, denique maria omnia cum universa tum in singulis
 25 oris omnes sinus atque portus. Quis enim toto mari locus
 per hos annos aut tam firmum habuit praesidium, ut tutus
 esset, aut tam fuit abditus, ut lateret? Quis navigavit qui
 non se aut mortis aut servitutis periculo committeret, cum
 aut hieme aut referto praedonum mari navigaret? Hoc
 30 tantum bellum, tam turpe, tam vetus, tam late divisum atque
 dispersum quis umquam arbitraretur aut ab omnibus im-
 peratoribus uno anno aut omnibus annis ab uno imperatore
 confici posse? Quam provinciam tenuistis a praedonibus 32

liberam per hosce annos? Quod vectigal vobis tutum fuit? Quem socium defendistis? Cui praesidio classibus vestris fuistis? Quam multas existimatis insulas esse desertas? Quam multas aut metu relictas aut a praedonibus captas urbes esse sociorum?

5

12. Sed quid ego longinqua commemoro? Fuit hoc quondam, fuit proprium populi Romani longe a domo bellare et propugnaculis imperii sociorum fortunas, non sua tecta defendere: sociis ego nostris mare per hos annos clausum fuisse dicam, cum exercitus vestri numquam a Brundisio nisi hieme summa transmiserint? Qui ad vos ab exteris nationibus venirent, captos querar, cum legati populi Romani redempti sint? Mercatoribus tutum mare non fuisse dicam, cum duodecim secures in praedonum potestatem pervenerint?

33 Cnidum aut Colophonem aut Samum, nobilissimas urbes, innumerabilesque alias captas esse commemorem, cum vestros portus atque eos portus, quibus vitam ac spiritum ducitis, in praedonum fuisse potestatem sciatis? An vero ignoratis portum Caietae celeberrimum ac plenissimum navium inspectante praetore a praedonibus esse direptum, ex Miseno autem eius ipsius liberos, qui cum praedonibus antea ibi bellum gesserat, a praedonibus esse sublatos? Nam quid ego Ostiense incommodum atque illam labem atque ignominiam rei publicae querar, cum prope inspectantibus vobis classis ea, cui consul populi Romani praepositus esset, a praedonibus capta atque oppressa est? Pro di immortales! Tantamne unius hominis incredibilis ac divina virtus tam brevi tempore lucem adferre rei publicae potuit, ut vos, qui modo ante ostium Tiberinum classem hostium videbatis, ei nunc nullam intra Oceani ostium praedonum navem esse

34 audiatis? Atque haec qua celeritate gesta sint quamquam videtis, tamen a me in dicendo praetereunda non sunt. Quis enim umquam aut obeundi negotii aut consequendi quaestus

30

studio tam brevi tempore tot loca adire, tantos cursus conficere potuit, quam celeriter Cn. Pompeio duce tanti belli impetus navigavit? Qui nondum tempestivo ad navigandum mari Siciliam adiit, Africam exploravit, inde Sardiniam cum
 5 classe venit atque haec tria frumentaria subsidia rei publicae firmissimis praesidiis classibusque munivit; inde cum se in 35
 Italiam recepisset, duabus Hispaniis et Gallia transalpina praesidiis ac navibus confirmata, missis item in oram Illyrici maris et in Achaiam omnemque Graeciam navibus Italiae
 10 duo maria maximis classibus firmissimisque praesidiis adornavit, ipse autem ut Brundisio profectus est, undequinquagesimo die totam ad imperium populi Romani Ciliciam adiunxit; omnes, qui ubique praedones fuerunt, partim capti interfectique sunt, partim unius huius se imperio ac potestati
 15 dederunt; idem Cretensibus, cum ad eum usque in Pamphyliam legatos deprecatoresque misissent, spem deditio-
 nis non ademit obsidesque imperavit. Ita tantum bellum, tam diuturnum, tam longe lateque dispersum, quo bello omnes gentes ac nationes premebantur, Cn. Pompeius ex-
 20 trema hieme apparavit, ineunte vere suscepit, media aestate confecit.

13. Est haec divina atque incredibilis virtus imperatoris. 36
 Quid ceterae, quas paulo ante commemorare coeperam, quantae atque quam multae sunt? Non enim bellandi virtus
 25 solum in summo ac perfecto imperatore quaerenda est, sed multae sunt artes eximiae huius administratae comitesque virtutis; ac primum quanta innocentia debent esse imperatores, quanta deinde in omnibus rebus temperantia, quanta fide, quanta facilitate, quanto ingenio, quanta humanitate?
 30 Quae breviter qualia sint in Cn. Pompeio consideremus. Summa enim omnia sunt, Quirites, sed ea magis ex aliorum contentione quam ipsa per sese cognosci atque intellegi possunt. Quem enim imperatorem possumus ullo in 37

numero putare, cuius in exercitu centuriatus veneant atque venerint? Quid hunc hominem magnum aut amplum de re publica cogitare, qui pecuniam ex aerario depromptam ad bellum administrandum aut propter cupiditatem provinciae magistratibus dividerit aut propter avaritiam Romae in 5 quaestu reliquerit? Vestra admurmuratio facit, Quirites, ut agnoscere videamini qui haec fecerint; ego autem nomino neminem; qua re irasci mihi nemo poterit, nisi qui ante de se voluerit confiteri. Itaque propter hanc avaritiam imperatorum quantas calamitates, quocumque ventum est, nostri 10 exercitus ferant quis ignorat? Itinera quae per hosce annos in Italia per agros atque oppida civium Romanorum nostri imperatores fecerint recordamini, tum facilius statuētis quid apud exteras nationes fieri existimetis. Utrum plures arbitramini per hosce annos militum vestrorum armis hostium 15 urbes an hibernis sociorum civitates esse deletas? Neque enim potest exercitum is continere imperator, qui se ipse non continet, neque severus esse in iudicando, qui alios in 39 se severos esse iudices non volt. Hic miramur hunc hominem tantum excellere ceteris, cuius legiones sic in 20 Asiam pervenerint, ut non modo manus tanti exercitus, sed ne vestigium quidem cuiquam pacato nocuisse dicatur? Iam vero quem ad modum milites hibernent cotidie sermones ac litterae perferuntur: non modo ut sumptum faciat in militem nemini vis adfertur, sed ne cupienti quidem cuiquam 25 permittitur; hiemis enim, non avaritiae perflugium maiores nostri in sociorum atque amicorum tectis esse voluerunt.

40 14. Age vero ceteris in rebus quali sit temperantia considerate: unde illam tantam celeritatem et tam incredibilem cursum inventum putatis? Non enim illum eximia vis 30 remigum aut ars inaudita quaedam gubernandi aut venti aliqui novi tam celeriter in ultimas terras pertulerunt, sed eae res, quae ceteros remorari solent, non retardarunt: non

avaritia ab instituto cursu ad praedam aliquam devocavit,
 non libido ad voluptatem, non amoenitas ad delectationem,
 non nobilitas urbis ad cognitionem, non denique labor ipse
 ad quietem; postremo signa et tabulas ceteraque ornamenta
 5 Graecorum oppidorum, quae ceteri tollenda esse arbitrantur,
 ea sibi ille ne visenda quidem existimavit. Itaque omnes 41
 nunc in eis locis Cn. Pompeium sicut aliquem non ex hac
 urbe missum, sed de caelo delapsum intuentur; nunc denique
 incipiunt credere fuisse homines Romanos hac quondam
 10 continentia, quod iam nationibus exteris incredibile ac falso
 memoriae proditum videbatur; nunc imperii vestri splendor
 illis gentibus lucem adferre coepit; nunc intellegunt non sine
 causa maiores suos tum, cum ea temperantia magistratus
 habebamus, servire populo Romano quam imperare aliis
 15 maluisse. Iam vero ita faciles aditus ad eum privatorum, ita
 liberae querimoniae de aliorum iniuriis esse dicuntur, ut is,
 qui dignitate principibus excellit, facilitate infimis par esse
 videatur. Iam quantum consilio, quantum dicendi gravitate 42
 et copia valeat, in quo ipso inest quaedam dignitas impera-
 20 toria, vos, Quirites, hoc ipso ex loco saepe cognovistis.
 Fidem vero eius quantam inter socios existimari putatis,
 quam hostes omnes omnium generum sanctissimam iudi-
 carint? Humanitate iam tanta est, ut difficile dictu sit utrum
 25 hostes magis virtutem eius pugnantes timuerint an mansuetu-
 dinem victi dilexerint. Et quisquam dubitabit quin huic
 hoc tantum bellum transmittendum sit, qui ad omnia nostrae
 memoriae bella conficienda divino quodam consilio natus
 esse videatur?

15. Et quoniam auctoritas quoque in bellis administrandis 43
 30 multum atque in imperio militari valet, certe nemini dubium
 est quin ea re idem ille imperator plurimum possit. Ve-
 hementer autem pertinere ad bella administranda quid hostes,
 quid socii de imperatoribus nostris existiment quis ignorat,

cum sciamus homines in tantis rebus ut aut contemnant aut
 metuant aut oderint aut ament, opinione non minus et fama
 quam aliqua ratione certa commoveri? Quod igitur nomen
 umquam in orbe terrarum clarius fuit? Cuius res gestae
 pares? De quo homine vos, id quod maxime facit auctori- 5
 44 tatem, tanta et tam praeclara iudicia fecistis? An vero ullam
 usquam esse oram tam desertam putatis quo non illius diei
 fama pervaserit, cum universus populus Romanus referto
 foro completisque omnibus templis, ex quibus hic locus
 conspici potest, unum sibi ad commune omnium gentium 10
 bellum Cn. Pompeium imperatorem depoposcit? Itaque ut
 plura non dicam neque aliorum exemplis confirmem quantum
 huius auctoritas valeat in bello, ab eodem Cn. Pompeio
 omnium rerum egregiarum exempla sumantur: qui quo die
 a vobis maritimo bello praepositus est imperator, tanta 15
 repente vilitas annonae ex summa inopia et caritate rei
 frumentariae consecuta est unius hominis spe ac nomine,
 quantum vix in summa ubertate agrorum diuturna pax efficere
 45 potuisset. Iam accepta in Ponto calamitate ex eo proelio,
 de quo vos paulo ante invitus admonui, cum socii per- 20
 timuissent, hostium opes animique crevissent, satis firmum
 praesidium provincia non haberet, amisissetis Asiam, Qui-
 rites, nisi ad ipsum discrimen eius temporis divinitus Cn.
 Pompeium ad eas regiones fortuna populi Romani attulisset.
 Huius adventus et Mithridatem insolita inflammatum victoria 25
 continuit et Tigranem magnis copiis minitantem Asiae re-
 tardavit. Et quisquam dubitabit quid virtute perfecturus sit
 qui tantum auctoritate perfecit? Aut quam facile imperio
 atque exercitu socios et vectigalia conservaturus sit qui ipso
 nomine ac rumore defenderit. 30

46 16. Age vero illa res quantam declarat eiusdem hominis
 apud hostes populi Romani auctoritatem, quod ex locis tam
 longinquis tamque diversis tam brevi tempore omnes huic se

uni dediderunt! Quod Cretensium legati, cum in eorum insula noster imperator exercitusque esset, ad Cn. Pompeium in ultimas prope terras venerunt eique se omnes Cretensium civitates dedere velle dixerunt! Quid? Idem
 5 iste Mithridates nonne ad eundem Cn. Pompeium legatum usque in Hispaniam misit? Eum, quem Pompeius legatum semper iudicavit, ei, quibus erat semper molestum ad eum potissimum esse missum, speculatorem quam legatum iudicari maluerunt. Potestis igitur iam constituere, Quirites,
 10 hanc auctoritatem multis postea rebus gestis magnisque vestris iudiciis amplificatam, quantum apud illos reges, quantum apud exteris nationes valituram esse existimetis.

Reliquum est ut de felicitate, quam praestare de se ipso 47 nemo potest, meminisse et commemorare de altero possumus, sicut aequum est homines de potestate deorum, timide et
 15 pauca dicamus. Ego enim sic existimo: Maximo, Marcello, Scipioni, Mario, et ceteris magnis imperatoribus non solum propter virtutem, sed etiam propter fortunam saepius imperia mandata atque exercitus esse commissos; fuit enim profecto
 20 quibusdam summis viris quaedam ad amplitudinem et ad gloriam et ad res magnas bene gerendas divinitus adiuncta fortuna; de huius autem hominis felicitate, de quo nunc agimus, hac utar moderatione dicendi, non ut in illius potestate fortunam positam esse dicam, sed ut praeterita meminisse, reliqua
 25 sperare videamur, ne aut invisae dis immortalibus oratio nostra aut ingrata esse videatur. Itaque non sum praedicaturus 48 quantas ille res domi militiae, terra marique, quantaque felicitate gesserit; ut eius semper voluntatibus non modo cives adsenserint, socii obtemperarint, hostes obedierint, sed
 30 etiam venti tempestatesque obsecundarint: hoc brevissime dicam, neminem umquam tam impudentem fuisse, qui ab dis immortalibus tot et tantas res tacitus auderet optare, quot et quantas di immortales ad Cn. Pompeium detulerunt. Quod

ut illi proprium ac perpetuum sit, Quirites, cum communis salutis atque imperii tum ipsius hominis causa, sicuti facitis, velle et optare debetis.

49 Qua re cum et bellum sit ita necessarium, ut neglegi non possit, ita magnum, ut adcuratissime sit administrandum, et 5 cum ei imperatorem praeficere possitis, in quo sit eximia belli scientia, singularis virtus, clarissima auctoritas, egregia fortuna, dubitatis, Quirites, quin hoc tantum boni, quod vobis ab dis immortalibus oblatum et datum est, in rem publicam conservandam atque amplificandam conferatis? 10

50 17. Quod si Romae Cn. Pompeius privatus esset hoc tempore, tamen ad tantum bellum is erat deligendus atque mittendus; nunc cum ad ceteras summas utilitates haec quoque opportunitas adiungatur, ut in eis ipsis locis adsit, ut habeat exercitum, ut ab eis, qui habent, accipere statim 15 possit, quid exspectamus? Aut cur non ducibus dis immortalibus eidem, cui cetera summa cum salute rei publicae commissa sunt, hoc quoque bellum regium committamus?

51 At enim vir clarissimus, amantissimus rei publicae, vestris beneficiis amplissimis adfectus, Q. Catulus, itemque summis 20 ornamentis honoris, fortunae, virtutis, ingenii praeditus, Q. Hortensius, ab hac ratione dissentiunt: quorum ego auctoritatem apud vos multis locis plurimum valuisse et valere oportere confiteor, sed in hac causa, tametsi cognoscetis auctoritates contrarias virorum fortissimorum et clarissi- 25 morum, tamen omissis auctoritatibus ipsa re ac ratione exquirere possumus veritatem, atque hoc facilius, quod ea omnia, quae a me adhuc dicta sunt, eidem isti vera esse concedunt, et necessarium bellum esse et magnum et in uno Cn. Pompeio summa esse omnia. Quid igitur ait Horten- 30
52 sius? Si uni omnia tribuenda sint, dignissimum esse Pompeium, sed ad unum tamen omnia deferri non oportere. Obsolevit iam ista oratio, re multo magis quam verbis refu-

tata; nam tu idem, Q. Hortensi, multa pro tua summa copia ac singulari facultate dicendi et in senatu contra virum fortem, A. Gabinium, graviter ornateque dixisti, cum is de uno imperatore contra praedones constituendo legem promulgasset, et ex hoc ipso loco permulta item contra eam legem verba fecisti. Quid? Tum, per deos immortales! si plus apud ⁵³ populum Romanum auctoritas tua quam ipsius populi Romani salus et vera causa valuisset, hodie hanc gloriam atque hoc orbis terrae imperium teneremus? An tibi tum ¹⁰ imperium hoc esse videbatur, cum populi Romani legati, quaestores praetoresque capiebantur, cum ex omnibus provinciis com meatu et privato et publico prohibebamur, cum ita clausa nobis erant maria omnia, ut neque privatam rem transmarinam neque publicam iam obire possemus?

¹⁵ 18. Quae civitas antea umquam fuit, non dico Atheniensium, quae satis late quondam mare tenuisse dicitur, non Karthaginiensium, qui permultum classe ac maritimis rebus valuerunt, non Rhodiorum, quorum usque ad nostram memoriam disciplina navalis et gloria remansit;—sed quae civitas ²⁰ umquam antea tam tenuis, quae tam parva insula fuit quae non portus suos et agros et aliquam partem regionis atque orae maritimae per se ipsa defenderet? At hercule aliquot annos continuos ante legem Gabiniam ille populus Romanus, cuius usque ad nostram memoriam nomen invictum in ²⁵ navalibus pugnis permanserit, magna ac multo maxima parte non modo utilitatis, sed dignitatis atque imperii caruit; nos, ⁵⁵ quorum maiores Antiochum regem classe Persenque superarunt, omnibusque navalibus pugnis Karthaginienses, homines in maritimis rebus exercitatissimos paratissimosque, vicerunt, ³⁰ ei nullo in loco iam praedonibus pares esse poteramus; nos, qui antea non modo Italiam tutam habebamus, sed omnes socios in ultimis oris auctoritate nostri imperii salvos praestare poteramus, tum, cum insula Delos, tam procul a nobis

in Aegaeo mari posita, quo omnes undique cum mercibus atque oneribus commeabant, referta divitiis, parva, sine muro, nihil timebat, eidem non modo provinciis atque oris Italiae maritimis ac portibus nostris, sed etiam Appia iam via carebamus; et eis temporibus non pudebat magistratus 5 populi Romani in hunc ipsum locum descendere, cum eum nobis maiores nostri exuviis nauticis et classium spoliis ornatum reliquissent.

56 19. Bono te animo tum, Q. Hortensi, populus Romanus et ceteros, qui erant in eadem sententia, dicere existimavit 10 ea, quae sentiebatis; sed tamen in salute communi idem populus Romanus dolori suo maluit quam auctoritati vestrae obtemperare: itaque una lex, unus vir, unus annus non modo nos illa miseria ac turpitudine liberavit, sed etiam effecit, ut aliquando vere videremur omnibus gentibus ac nationibus 15 57 terra marique imperare. Quo mihi etiam indignius videtur obtrectatum esse adhuc, Gabinio dicam ane Pompeio, an utrique, id quod est verius, ne legaretur A. Gabinus Cn. Pompeio expetenti ac postulanti. Utrum ille, qui postulat ad tantum bellum legatum quem velit, idoneus non est qui 20 impetret, cum ceteri ad expilandos socios diripiendasque provincias quos voluerunt legatos eduxerint, an ipse, cuius lege salus ac dignitas populo Romano atque omnibus gentibus constituta est, expers esse debet gloriae eius imperatoris atque eius exercitus, qui consilio ipsius ac periculo 25 58 est constitutus? An C. Falcidius, Q. Metellus, Q. Caelius Latiniensis, Cn. Lentulus, quos omnes honoris causa nomino, cum tribuni plebi fuissent, anno proximo legati esse poterunt; in uno Gabinio sunt tam diligentes, qui in hoc bello, quod lege Gabinia geritur, in hoc imperatore atque exercitu, 30 quem per vos ipse constituit, etiam praecipuo iure esse deberet? De quo legando consules spero ad senatum relatu-
luros: qui si dubitabunt aut gravabuntur, ego me profiteor

relaturum, neque me impedit cuiusquam inimicum edictum, quo minus vobis fretus vestrum ius beneficiumque defendam, neque praeter intercessionem quicquam audiam, de qua, ut arbitror, isti ipsi, qui minantur, etiam atque etiam quid liceat
 5 considerabunt. Mea quidem sententia, Quirites, unus A. Gabinius belli maritimi rerumque gestarum Cn. Pompeio socius ascribitur, propterea quod alter uni illud bellum suscipiendum vestris suffragiis detulit, alter delatum susceptumque confecit.

20. Reliquum est ut de Q. Catuli auctoritate et sententia 59
 10 dicendum esse videatur; qui cum ex vobis quaereret, si in uno Cn. Pompeio omnia poneretis, si quid eo factum esset, in quo spem essetis habituri, cepit magnum suae virtutis fructum ac dignitatis, cum omnes una prope voce in eo ipso vos spem habituros esse dixistis. Etenim talis est vir, ut
 15 nulla res tanta sit ac tam difficilis, quam ille non et consilio regere et integritate tueri et virtute conficere possit: sed in hoc ipso ab eo vehementissime dissentio, quod quo minus certa est hominum ac minus diuturna vita, hoc magis res publica, dum per deos immortales licet, frui debet summi viri
 20 vita atque virtute. 'At enim ne quid novi fiat contra exempla 60 atque instituta maiorum.' Non dicam hoc loco maiores nostros semper in pace consuetudini, in bello utilitati paruisse, semper ad novos casus temporum novorum consiliorum rationes adcommo-
 25 atque Hispaniense, ab uno imperatore esse confecta duasque urbes potentissimas, quae huic imperio maxime minitabantur, Karthaginem atque Numantiam, ab eodem Scipione esse deletas; non commemorabo nuper ita vobis patribusque vestris esse visum, ut in uno C. Mario spes imperii poneretur,
 30 ut idem cum Iugurtha, idem cum Cimbris, idem cum Teutonis bellum administraret: in ipso Cn. Pompeio, in quo 61 novi constitui nihil volt Q. Catulus, quam multa sint nova summa Q. Catuli voluntate constituta recordamini.

21. Quid tam novum quam adolescentulum privatum exercitum difficili rei publicae tempore conficere? Confecit. Huic praeesse? Praefuit. Rem optime ductu suo gerere? Gessit. Quid tam praeter consuetudinem quam homini peradulescenti, cuius aetas a senatorio gradu longe abesset, 5 imperium atque exercitum dari, Siciliam permitti atque Africam bellumque in ea provincia administrandum? Fuit in his provinciis singulari innocentia, gravitate, virtute; bellum in Africa maximum confecit, victorem exercitum deportavit. Quid vero tam inauditum quam equitem 10 Romanum triumphare? At eam quoque rem populus Romanus non modo vidit, sed omnium etiam studio visendam 62 et concelebrandam putavit. Quid tam inusitatum quam ut, cum duo consules clarissimi fortissimique essent, eques Romanus ad bellum maximum formidolosissimumque pro 15 consule mitteretur? Missus est: quo quidem tempore, cum esset non nemo in senatu qui diceret non oportere mitti hominem privatum pro consule, L. Philippus dixisse dicitur non se illum sua sententia pro consule, sed pro consulibus mittere. Tanta in eo rei publicae bene gerendae spes con- 20 stituebatur, ut duorum consulum munus unius adolescentis virtuti committeretur. Quid tam singulare quam ut ex senatus consulto legibus solutus consul ante fieret, quam ullum alium magistratum per leges capere licuisset? Quid tam incredibile quam ut iterum eques Romanus ex senatus 25 consulto triumpharet? Quae in omnibus hominibus nova post hominum memoriam constituta sunt, ea tam multa non 63 sunt quam haec, quae in hoc uno homine videmus: atque haec tot exempla tanta ac tam nova profecta sunt in eundem hominem a Q. Catuli atque a ceterorum eiusdem dignitatis 30 amplissimorum hominum auctoritate.

22. Qua re videant ne sit periniquum et non ferundum, illorum auctoritatem de Cn. Pompeii dignitate a vobis com-

probatam semper esse, vestrum ab illis de eodem homine iudicium populi que Romani auctoritatem improbari, praesertim cum iam suo iure populus Romanus in hoc homine suam auctoritatem vel contra omnes, qui dissentiunt, possit defendere, propterea quod isdem istis reclamantibus vos unum illum ex omnibus delegistis quem bello praedonum praeponeretis. Hoc si vos temere fecistis et rei publicae parum consulistis, recte isti studia vestra suis consiliis regere conantur; sin autem vos plus tum in re publica vidistis, vos eis repugnantibus per vosmet ipsos dignitatem huic imperio, salutem orbi terrarum attulistis, aliquando isti principes et sibi et ceteris populi Romani universi auctoritati parendum esse fateantur. Atque in hoc bello Asiatico et regio non solum militaris illa virtus, quae est in Cn. Pompeio singularis, sed aliae quoque virtutes animi magnae et multae requiruntur: difficile est in Asia, Cilicia, Syria regnisque interiorum nationum ita versari nostrum imperatorem, ut nihil aliud nisi de hoste ac de laude cogitet; deinde etiam si qui sunt pudore ac temperantia moderatiores, tamen eos esse tales propter multitudinem cupidorum hominum nemo arbitratur. Difficile est dictu, Quirites, quanto in odio simus apud exterarum nationes propter eorum, quos ad eas per hos annos cum imperio misimus, libidines et iniurias. Quod enim fanum putatis in illis terris nostris magistratibus religiosum, quam civitatem sanctam, quam domum satis clausam ac munitam fuisse? Urbes iam locupletes et copiosae requiruntur, quibus causa belli propter diripiendi cupiditatem inferatur. Libenter haec coram cum Q. Catulo et Q. Hortensio, summis et clarissimis viris, disputarem; noverunt enim sociorum vulnera, vident eorum calamitates, querimonias audiunt: pro sociis vos contra hostes exercitum mittere putatis an hostium simulatione contra socios atque amicos? Quae civitas est in Asia quae non modo imperatoris aut legati, sed unius tribuni militum animos ac spiritus capere possit?

23. Qua re, etiam si quem habetis qui conlatis signis exercitus regios superare posse videatur, tamen nisi erit idem, qui se a pecuniis sociorum, qui ab eorum coniugibus ac liberis, qui ab ornamentis fanorum atque oppidorum, qui ab atro gazaque regia manus, oculos, animum cohibere possit, 5 non erit idoneus qui ad bellum Asiaticum regiumque mittatur.

67 Ecquam putatis civitatem pacatam fuisse quae locuples sit? Ecquam esse locupletem quae istis pacata esse videatur? Ora maritima, Quirites, Cn. Pompeium non solum propter rei militaris gloriam, sed etiam propter animi continentiam 10 requisivit. Videbat enim praetores locupletari quot annis pecunia publica praeter paucos, neque eos quicquam aliud adsequi classium nomine nisi ut detrimentis accipiendis maiore adfici turpitudine videremur. Nunc qua cupiditate homines in provincias, quibus iacturis et quibus condicionibus 15 proficiscantur ignorant videlicet isti, qui ad unum deferenda omnia esse non arbitrantur? Quasi vero Cn. Pompeium non cum suis virtutibus tum etiam alienis vitiis magnum esse 68 videamus. Qua re nolite dubitare quin huic uni credatis omnia, qui inter tot annos unus inventus sit quem socii in 20 urbes suas cum exercitu venisse gaudeant.

Quod si auctoritatibus hanc causam, Quirites, confirmandam putatis, est vobis auctor vir bellorum omnium maximarumque rerum peritissimus, P. Servilius, cuius tantae res gestae terra marique exstiterunt, ut cum de bello deliberetis, 25 auctor vobis gravior nemo esse debeat; est C. Curio, summis vestris beneficiis maximisque rebus gestis, summo ingenio et prudentia praeditus; est Cn. Lentulus, in quo omnes pro amplissimis vestris honoribus summum consilium, summam gravitatem esse cognovistis; est C. Cassius, integritate, 30 virtute, constantia singulari. Qua re videte ut horum auctoritatibus illorum orationi, qui dissentiunt, respondere posse videamur.

24. Quae cum ita sint, C. Manili, primum istam tuam et 60
legem et voluntatem et sententiam laudo vehementissimeque
comprobo; deinde te hortor, ut auctore populo Romano
maneas in sententia neve cuiusquam vim aut minas per-
5 timescas. Primum in te satis esse animi perseverantiaeque
arbitror; deinde cum tantam multitudinem cum tanto studio
adesse videamus, quantam iterum nunc in eodem homine
praeficiendo videmus, quid est quod aut de re aut de per-
ficiendi facultate dubitemus? Ego autem quicquid est in
10 me studii, consilii, laboris, ingenii, quicquid hoc beneficio
populi Romani atque hac potestate praetoria, quicquid auc-
toritate, fide, constantia possum, id omne ad hanc rem
conficiendam tibi et populo Romano polliceor ac defero;
testorque omnes deos et eos maxime, qui huic loco temploque 70
15 praesident, qui omnium mentes eorum, qui ad rem publicam
adeunt, maxime perspiciunt, me hoc neque rogatu facere
cuiusquam neque quo Cn. Pompeii gratiam mihi per hanc
causam conciliari putem neque quo mihi ex cuiusquam
amplitudine aut praesidia periculis aut adiumenta honoribus
20 quaeram, propterea quod pericula facile, ut hominem prae-
stare oportet, innocentia tecti repellemus, honorem autem
neque ab uno neque ex hoc loco, sed eadem illa nostra
laboriosissima ratione vitae, si vestra voluntas feret, conse-
quemur. Quam ob rem quicquid in hac causa mihi 71
25 susceptum est, Quirites, id ego omne me rei publicae causa
suscepisse confirmo, tantumque abest, ut aliquam mihi
bonam gratiam quaesisse videar, ut multas me etiam simul-
tates partim obscuras, partim apertas intellegam mihi non
necessarias, vobis non inutiles suscepisse. Sed ego me hoc
30 honore praeditum, tantis vestris beneficiis adfectum statui,
Quirites, vestram voluntatem et rei publicae dignitatem et
salutem provinciarum atque sociorum meis omnibus com-
modis et rationibus praeferre oportere.

INTRODUCTION

TO THE

ORATION ON BEHALF OF AULUS LICINIUS ARCHIAS.

1. THE date of this Oration is only determined with precision by the statement of the Scholiast, that the case of Archias was tried before Cicero's brother Quintus, who was *praetor* in B.C. 62; but this date is sufficiently borne out by Cicero's own declaration that he hoped to find in Archias the panegyrist of his consulship, which was in the preceding year.

2. Of Archias, in spite of the high eulogy passed by Cicero on his talents, we know nothing except what we gather from this speech. He was a native of Antioch in Syria, and was born about B.C. 120. He appears to have come to Italy at an early age, and, after winning some fame as a poet and improvisatore in the southern towns, he came to Rome in B.C. 102. There he soon gained powerful friends, especially in the family of the Luculli. After a probable sojourn of some ten years in Rome, he made a tour in Sicily with Lucius Lucullus, and on his way home he stopped at Heraclea in Lucania, where he was admitted to the franchise. This entitled him to the benefits of the *Lex Plautia Papiria*, passed by the tribunes M. Plautius Silvanus and C. Papirius Carbo in B.C. 89. By this law any person enrolled as a citizen in an allied city (*foederata civitas*) might claim to be a Roman citizen, provided that at the time when the law was passed he had a domicile in Italy, and that within sixty days he gave in his name to one of the praetors. There seems to be no doubt that Archias had complied with all the requirements,

but the evidence was defective in some points, and this gave a colour to the present suit. In it Archias was charged by one Grattius, who is otherwise unknown, with having illegally claimed the rights of a Roman citizen. If found guilty, he was liable under the *Lex Papia*, passed in B.C. 65, to summary expulsion from the city.

3. The prosecutor had on his side the facts that no documentary evidence existed of the enrolment of Archias as a citizen of Heraclea; and that his name did not appear on the Roman burgess-rolls at any subsequent census. Cicero replies that the archives of Heraclea had been burnt in the Social war, but that their missing testimony was abundantly made good by the evidence of credible and official witnesses. The omission of his client's name from the burgess-rolls of Rome was sufficiently explained by his absence from the city on each of the occasions when the census was taken, so that from this fact no conclusion could be drawn. On the other hand, there was the strongest presumption in favour of his claim, partly from the presence of his name in the official list of claimants made by *Q. Metellus*, the most accurate of praetors, partly from his repeated and unquestioned exercise of many privileges belonging only to a Roman citizen.

4. As the mere question of law gave little scope for eloquence, Cicero devotes the greater part of his speech to a disquisition on the humanising effects of literary culture, together with a glowing eulogy on his client's genius.

5. Short and light in character, the oration hardly realises the expectations raised by the solemn and elaborate nature of its exordium, and probably it owes its general popularity to the chapters which set forth the advantages of a liberal education.

6. Of the issue of the trial, and the subsequent career of Archias, we know nothing. We may reasonably suppose that Cicero's pleading was successful; and from his silence on the subject it is probable that the poet's gratitude did not produce a successful epic on the *Catiline conspiracy*.

M. TULLII CICERONIS

PRO A. LICINIO ARCHIA POETA ORATIO.

- 1 1. Si quid est in me ingenii, iudices, quod sentio quam sit
exiguum, aut si qua exercitatio dicendi, in qua me non infitior
mediocriter esse versatum, aut si huiusce rei ratio aliqua ab
optimarum artium studiis ac disciplina profecta, a qua ego
nullum confiteor aetatis meae tempus abhorruisse, earum rerum 5
omnium vel in primis hic A. Licinius fructum a me repetere
prope suo iure debet; nam quoad longissime potest mens
mea respicere spatium praeteriti temporis et pueritiae me-
moriam recordari ultimam, inde usque repetens hunc video
mihi principem et ad suscipiendam et ad ingrediendam 10
rationem horum studiorum exstitisse. Quod si haec vox,
huius hortatu praeceptisque conformata, non nullis aliquando
saluti fuit, a quo id accepimus quo ceteris opitulari et alios
servare possemus, huic profecto ipsi, quantum est situm in
2 nobis, et opem et salutem ferre debemus. Ac ne quis a 15
nobis hoc ita dici forte miretur, quod alia quaedam in hoc
facultas sit ingenii neque haec dicendi ratio aut disciplina, ne
nos quidem huic uni studio penitus umquam dediti fuimus:
etenim omnes artes, quae ad humanitatem pertinent, habent
quoddam commune vinculum et quasi cognatione quadam 20
inter se continentur.
- 3 2. Sed ne cui vestrum mirum esse videatur me in quaes-

tione legitima et in iudicio publico, cum res agatur apud praetorem populi Romani, lectissimum virum, et apud severissimos iudices, tanto conventu hominum ac frequentia, hoc uti genere dicendi quod non modo a consuetudine iudiciorum, 5 verum etiam a forensi sermone abhorreat, quaeso a vobis, ut in hac causa mihi detis hanc veniam, adcommodatam huic reo, vobis, quem ad modum spero, non molestam, ut me pro summo poeta atque eruditissimo homine dicentem, hoc concursu hominum litteratissimorum, hac vestra humanitate, hoc 10 denique praetore exercente iudicium patiamini de studiis humanitatis ac litterarum paulo loqui liberius et in eius modi persona, quae propter otium ac studium minime in iudiciis periculisque tractata est, uti prope novo quodam et inusitato genere dicendi. Quod si mihi a vobis tribui concedique 4 15 sentiam, perficiam profecto ut hunc A. Licinium non modo non segregandum, cum sit civis, a numero civium, verum etiam si non esset, putetis asciscendum fuisse.

3. Nam ut primum ex pueris excessit Archias atque ab eis artibus, quibus aetas puerilis ad humanitatem informari solet, 20 se ad scribendi studium contulit, primum Antiochiae — nam ibi natus est loco nobili —, celebri quondam urbe et copiosa atque eruditissimis hominibus liberalissimisque studiis adfluente, celeriter antecellere omnibus ingenii gloria contigit. Post in ceteris Asiae partibus cunctaeque Graeciae sic eius 25 adventus celebrabantur, ut famam ingenii exspectatio hominis, exspectationem ipsius adventus admiratioque superaret. Erat 5 Italia tunc plena Graecarum artium ac disciplinarum, studique haec in Latio vehementius tum colebantur quam nunc eisdem in oppidis, et hic Romae propter tranquillitatem rei 30 publicae non neglegebantur. Itaque hunc et Tarentini et Regini et Neapolitani civitate ceterisque praemiis donarunt et omnes, qui aliquid de ingeniis poterant iudicare, cognitione atque hospitio dignum existimarunt. Hac tanta celebritate

famae cum esset iam absentibus notus, Romam venit Mario consule et Catulo. Nactus est primum consules eos, quorum alter res ad scribendum maximas, alter cum res gestas tum etiam studium atque aures adhibere posset. Statim Luculli, cum praetextatus etiam tum Archias esset, eum domum suam 5 receperunt. Sed etiam hoc non solum ingenii ac litterarum, verum etiam naturae atque virtutis, ut domus, quae huius adolescentiae prima fuit, eadem esset familiarissima senectuti.

6 Erat temporibus illis iucundus Metello illi Numidico et eius Pio filio, audiebatur a M. Aemilio, vivebat cum Q. Catulo 10 et patre et filio, a L. Crasso colebatur, Lucullos vero et Drusum et Octavios et Catonem et totam Hortensiorum domum devinctam consuetudine cum teneret, adficiebatur summo honore, quod eum non solum colebant qui aliquid percipere atque audire studebant, verum etiam si qui forte 15 simulabant.

4. Interim satis longo intervallo, cum esset cum M. Lucullo in Siciliam profectus et cum ex ea provincia cum eodem Lucullo decederet, venit Heracliam: quae cum esset civitas aequissimo iure ac foedere, ascribi se in eam civitatem 20 voluit, idque, cum ipse per se dignus putaretur, tum auctoritate et gratia Luculli ab Heracliensibus impetravit. Data est civitas Silvani lege et Carbonis, SI QUI FOEDERATIS CIVITATIBUS ASCRIPTI FUissent: SI TUM, CUM LEX FEREBATUR, IN ITALIA DOMICILIUM HABUISSENT, ET SI SEXAGINTA DIEBUS APUD 25 PRAETOREM ESSENT PROFESSI. Cum hic domicilium Romae multos iam annos haberet, professus est apud praetorem Q. 8 Metellum familiarissimum suum. Si nihil aliud nisi de civitate ac lege dicimus, nihil dico amplius, causa dicta est. Quid enim horum infirmari, Grati, potest? Heracliaene esse 30 tum ascriptum negabis? Adest vir summa auctoritate et religione et fide, M. Lucullus, qui se non opinari, sed scire, non audisse, sed vidisse, non interfuisse, sed egisse dicit;

adsunt Heraclienses legati, nobilissimi homines huius iudicii causa cum mandatis et cum publico testimonio venerunt, qui hunc ascriptum Heracliensem dicunt. Hic tu tabulas desideras Heracliensium publicas, quas Italico bello incenso
 5 tabulario interisse scimus omnes. Est ridiculum ad ea, quae habemus, nihil dicere, quaerere quae habere non possumus, et de hominum memoria tacere, litterarum memoriam flagitare, et, cum habeas amplissimi viri religionem, integerrimi municipii ius iurandum fidemque, ea, quae depravari nullo
 10 modo possunt, repudiare, tabulas, quas idem dicis solere corrumpi, desiderare. An domicilium Romae non habuit is, 9
 qui tot annis ante civitatem datam sedem omnium rerum ac fortunarum suarum Romae conlocavit? At non est professus. Immo vero eis tabulis professus, quae solae ex illa
 15 professione collegioque praetorum obtinent publicarum tabularum auctoritatem.

5. Nam cum Appii tabulae negligentius adservatae dicerentur, Gabinii, quam diu incolumis fuit, levitas, post damnationem calamitas omnem tabularum fidem resignasset,
 20 Metellus, homo sanctissimus modestissimusque omnium, tanta diligentia fuit, ut ad L. Lentulum praetorem et ad iudices venerit et unius nominis litura se commotum esse dixerit. In his igitur tabulis nullam lituram in nomine A. Licinii videtis. Quae cum ita sint, quid est quod de eius 10
 25 civitate dubitetis, praesertim cum aliis quoque in civitatibus fuerit ascriptus? Etenim cum mediocribus multis et aut nulla aut humili aliqua arte praeditis gratuito civitatem in Graecia homines impertiebant, Reginos credo aut Locrenses aut Neapolitanos aut Tarentinos, quod scenicis artificibus largiri
 30 solebant, id huic summa ingenii praedito gloria noluisse! Quid? Cum ceteri non modo post civitatem datam, sed etiam post legem Papiam aliquo modo in eorum municipiorum tabulas inreperunt, hic, qui ne utitur quidem illis, in

- 11 quibus est scriptus, quod semper se Heracliensem esse voluit, reicietur? Census nostros requiris scilicet: est enim obscurum promixis censoribus hunc cum clarissimo imperatore L. Lucullo apud exercitum fuisse, superioribus cum eodem quaestore fuisse in Asia, primis, Iulio et Crasso, nullam 5 populi partem esse censam. Sed quoniam census non ius civitatis confirmat, ac tantum modo indicat eum, qui sit census, ita se iam tum gessisse pro cive, eis temporibus, quibus tu criminarius ne ipsius quidem iudicio in civium Romanorum iure esse versatum, et testamentum saepe fecit nostris legibus, 10 et adiit hereditates civium Romanorum, et in beneficiis ad aerarium delatus est a L. Lucullo pro consule. 6. Quaere argumenta, si qua potes: numquam enim hic neque suo neque amicorum iudicio revincetur.
- 12 Quaeres a nobis, Grati, cur tanto opere hoc homine 15 delectemur. Quia suppeditat nobis ubi et animus ex hoc forensi strepitu reficiatur et aures convitio defessae conquiescant. An tu existimas aut suppetere nobis posse quod cotidie dicamus in tanta varietate rerum, nisi animos nostros doctrina excolamus, aut ferre animos tantam posse conten- 20 tionem, nisi eos doctrina eadem relaxemus? Ego vero fateor me his studiis esse deditum: ceteros pudeat, si qui se ita litteris abdiderunt, ut nihil possint ex eis neque ad communem adferre fructum neque in aspectum lucemque proferre: me autem quid pudeat, qui tot annos ita vivo, iudices, ut a nullius 25 umquam me tempore aut commodo aut otium meum abstraxerit aut voluptas avocarit aut denique somnus retardarit?
- 13 Qua re quis tandem me reprehendat aut quis mihi iure suscenseat, si, quantum ceteris ad suas res obeundas, quantum ad festos dies ludorum celebrandos, quantum ad alias volup- 30 tates et ad ipsam requiem animi et corporis conceditur temporum, quantum alii tribuunt tempestivis conviviis, quantum denique alveolo, quantum pilae, tantum mihi egomet ad

haec studia recolenda sumpsero? Atque hoc ideo mihi concedendum est magis, quod ex his studiis haec quoque crescit oratio et facultas, quae quantacumque in me est, numquam amicorum periculis defuit: quae si cui levior videtur, illa
 5 quidem certe, quae summa sunt, ex quo fonte hauriam sentio. Nam nisi multorum praeceptis multisque litteris mihi 14 ab adolescentia suasissem nihil esse in vita magno opere expetendum nisi laudem atque honestatem, in ea autem persequenda omnes cruciatus corporis, omnia pericula mortis
 10 atque exsili parvi esse ducenda, numquam me pro salute vestra in tot ac tantas dimicationes atque in hos profligatorum hominum cotidianos impetus obiecissem. Sed pleni omnes sunt libri, plenae sapientium voces, plena exemplorum vestustas; quae iacerent in tenebris omnia, nisi litterarum lumen
 15 accederet. Quam multas nobis imagines non solum ad intuendum, verum etiam ad imitandum fortissimorum virorum expressas scriptores et Graeci et Latini reliquerunt! Quas ego mihi semper in administranda re publica proponens animum et mentem meam ipsa cogitatione hominum excellentium
 20 conformabam.

7. Quaeret quispiam: quid? Illi ipsi summi viri, quorum 15 virtutes litteris proditae sunt, istane doctrina, quam tu effers laudibus, eruditi fuerunt? Difficile est hoc de omnibus confirmare, sed tamen est certe quod respondeam. Ego multos
 25 homines excellenti animo ac virtute fuisse et sine doctrina naturae ipsius habitu prope divino per se ipsos et moderatos et graves exstitisse fateor; etiam illud adiungo, saepius ad laudem atque virtutem naturam sine doctrina quam sine natura valuisse doctrinam. Atque idem ego contendo, cum
 30 ad naturam eximiam atque illustrem accesserit ratio quaedam conformatioque doctrinae, tum illud nescio quid praeclarum ac singulare solere existere. Ex hoc esse hunc numero, 16 quem patres nostri viderunt, divinum hominem Africanum,

ex hoc C. Laelium, L. Furium, moderatissimos homines et continentissimos, ex hoc fortissimum virum et illis temporibus doctissimum, M. Catonem illum senem; qui profecto si nihil ad percipiendam colendamque virtutem litteris adiuventur, numquam se ad earum studium contulissent. Quod si non 5 hic tantus fructus ostenderetur et si ex his studiis delectatio sola peteretur, tamen, ut opinor, hanc animi adversionem humanissimam ac liberalissimam iudicaretis. Nam ceterae neque temporum sunt neque aetatum omnium neque locorum: haec studia adulescentiam agunt, senectutem oblectant, se- 10 cundas res ornant, adversis perfrugium ac solatium praebent, delectant domi, non impediunt foris, pernoctant nobiscum, peregrinantur, rusticantur.

17 Quod si ipsi haec neque attingere neque sensu nostro gustare possemus, tamen ea mirari deberemus, etiam cum in 15 aliis videremus. 8. Quis nostrum tam animo agresti ac duro fuit, ut Roscii morte nuper non commoveretur? Qui cum esset senex mortuus, tamen propter excellentem artem ac venustatem videbatur omnino mori non debuisse. Ergo ille corporis motu tantum amorem sibi conciliarat a nobis omni- 20 bus: nos animorum incredibiles motus celeritatemque ingeniorum neglegemus? Quotiens ego hunc Archiam vidi, iudices, —utar enim vestra benignitate, quoniam me in hoc novo genere dicendi tam diligenter attenditis —, quotiens ego hunc vidi, cum litteram scripsisset nullam, magnum numerum opti- 25 morum versuum de eis ipsis rebus, quae tum agerentur, dicere ex tempore! Quotiens revocatum eandem rem dicere commutatis verbis atque sententiis! Quae vero accurate cogitateque scripsisset, ea sic vidi probari, ut ad veterum scriptorum laudem perveniret. Hunc ego non diligam, non 30 admirer, non omni ratione defendendum putem? Atque sic a summis hominibus eruditissimisque accepimus, ceterarum rerum studia et doctrina et praeceptis et arte constare;

poëtam natura ipsa valere et mentis viribus excitari et quasi divino quodam spiritu inflari. Qua re suo iure noster ille Ennius sanctos appellat poëtas, quod quasi deorum aliquo dono atque munere commendati nobis esse videantur. Sit
 5 igitur, iudices, sanctum apud vos, humanissimos homines, hoc poëtae nomen, quod nulla umquam barbaria violavit. Saxa et solitudines voci respondent, bestiae saepe immanes cantu flectuntur atque consistunt: nos instituti rebus optimis non poëtarum voce moveamur? Homerum Colophonii
 10 civem esse dicunt suum, Chii suum vindicant, Salaminii repetunt, Smyrnaei vero suum esse confirmant, itaque etiam delubrum eius in oppido dedicaverunt; permulti alii praeterea pugnant inter se atque contendunt.

9. Ergo illi alienum, quia poëta fuit, post mortem etiam
 15 expetunt: nos hunc vivum qui et voluntate et legibus noster est, repudiabimus? Praesertim cum omne olim studium atque omne ingenium contulerit Archias ad populi Romani gloriam laudemque celebrandam? Nam et Cimbricas res adulescens attigit et ipsi illi C. Mario, qui durior ad haec
 20 studia videbatur, iucundus fuit. Neque enim quisquam est
 tam aversus a Misis qui non mandari versibus aeternum suorum laborum facile praeconium patiat. Themistoclem illum, summum Athenis virum, dixisse aiunt, cum ex eo quaereretur, quod acroama aut cuius vocem libentissime
 25 audiret, eius, a quo sua virtus optime praedicaretur. Itaque ille Marius item eximie L. Plotium dilexit, cuius ingenio putabat ea, quae gesserat, posse celebrari. Mithridaticum
 30 vero bellum, magnum atque difficile et in multa varietate terra marique versatum, totum ab hoc expressum est; qui libri non modo L. Lucillum, fortissimum et clarissimum virum, verum etiam populi Romani nomen illustrant. Populus enim Romanus aperuit Lucullo imperante Pontum et regiis quondam opibus et ipsa natura et regione vallatum;

populi Romani exercitus eodem duce non maxima manu innumerabiles Armeniorum copias fudit; populi Romani laus est urbem amicissimam Cyzicenorum eiusdem consilio ex omni impetu regio atque totius belli ore ac faucibus ereptam esse atque servatam; nostra semper feretur et praedicabitur 5 L. Lucullo dimicante cum interfectis ducibus depressa hostium classis et incredibilis apud Tenedum pugna illa navalis; nostra sunt tropaea, nostra monumenta, nostri triumphi; quae quorum ingeniis efferuntur, ab eis populi Romani fama cele-
 22 bratur. Carus fuit Africano superiore noster Ennius, itaque 10 etiam in sepulcro Scipionum putatur is esse constitutus ex marmore; et eis laudibus certe non solum ipse qui laudatur, sed etiam populi Romani nomen ornatur. In caelum huius proavus Cato tollitur: magnus honos populi Romani rebus adiungitur. Omnes denique illi Maximi, Marcelli, Fulvii non 15 sine communi omnium nostrum laude decorantur.

10. Ergo illum, qui haec fecerat, Rudinum hominem, maiores nostri in civitatem receperunt; nos hunc Heracliensem, multis civitatibus expetitur, in hac autem legibus constitutum, de nostra civitate eiciemus? 20

23 Nam si quis minorem gloriae fructum putat ex Graecis versibus percipi quam ex Latinis, vehementer errat, propterea quod Graeca leguntur in omnibus fere gentibus, Latina suis finibus, exiguis sane, continentur. Qua re si res eae, quas gessimus, orbis terrae regionibus definiuntur, cupere debemus, 25 quo manuum nostrarum tela pervenerint, eodem gloriam famamque penetrare, quod cum ipsis populis, de quorum rebus scribitur, haec ampla sunt, tum eis certe, qui de vita gloriae causa dimicant, hoc maximum et periculorum incita-
 24 mentum est et laborum. Quam multos scriptores rerum 30 suarum magnus ille Alexander secum habuisse dicitur! Atque is tamen, cum in Sigeo ad Achillis tumulum astitisset: 'O fortunate' inquit 'adulescens, qui tuae virtutis Homerum

praeconem inveniatis! Et vere. Nam nisi Ilias illa ex-
 stitisset, idem tumulus, qui corpus eius contexerat, nomen
 etiam obruisset. Quid? Noster hic Magus, qui cum
 virtute fortunam adaequavit, nonne Theophanem Mytile-
 5 naeum, scriptorem rerum suarum, in contione militum civitate
 donavit, et nostri illi fortes viri, sed rustici ac milites, dulce-
 dine quadam gloriae commoti, quasi participes eiusdem
 laudis, magno illud clamore approbaverunt? Itaque, credo, 25
 si civis Romanus Archias legibus non esset, ut ab aliquo
 10 imperatore civitate donaretur, perficere non potuit. Sulla
 cum Hispanos donaret et Gallos, credo hunc petentem re-
 pudiasset: quem nos in contione vidimus, cum ei libellum
 malus poeta de populo subiecisset, quod epigramma in eum
 fecisset, tantummodo alternis versibus longiusculis, statim ex
 15 cis rebus, quas tunc vendebat, iubere ei praemium tribui sed
 ea condicione, ne quid postea scriberet. Qui sedulitatem
 mali poetae duxerit aliquo tamen praemio dignam, huius
 ingenium et virtutem in scribendo et copiam non expetisset?
 Quid? A Q. Metello Pio, familiarissimo suo, qui civitate 26
 20 multos donavit, neque per se neque per Lucullos impetra-
 visset? Qui praesertim usque eo de suis rebus scribi cuperet,
 ut etiam Cordubae natis poetae, pingue quiddam sonantibus
 atque peregrinum, tamen aures suas dederet.

11. Neque enim est hoc dissimulandum, quod obscurari
 25 non potest, sed prae nobis ferendum: trahimur omnes studio
 laudis et optimus quisque maxime gloria ducitur. Ipsi illi
 philosophi etiam in eis libellis, quos de contemnenda gloria
 scribunt, nomen suum inscribunt; in eo ipso, in quo prae-
 dicationem nobilitatemque despiciunt, praedicari de se ac
 30 nominari volunt. Decimus quidem Brutus, summus vir et 27
 imperator, Accii, amicissimi sui, carminibus templorum ac
 monumentorum aditus exornavit suorum. Iam vero ille, qui
 cum Aetolis Ennio comite bellavit, Fulvius, non dubitavit

Martis manubias Musis consecrare. Qua re in qua urbe imperatores prope armati poëtarum nomen et Musarum delubra coluerunt, in ea non debent togati iudices a Musarum honore et a poëtarum salute abhorrere.

28 Atque ut id libentius faciatis, iam me vobis, iudices, in- 5
dicabo et de meo quodam amore gloriae nimis acri fortasse, verum tamen honesto vobis confitebor. Nam quas res nos in consulatu nostro vobiscum simul pro salute huiusce imperii et pro vita civium proque universa re publica ges-
simus, attigit hic versibus atque inchoavit; quibus auditis, 10
quod mihi magna res et iucunda visa est, hunc ad perficiendum adornavi. Nullam enim virtus aliam mercedem laborum periculorumque desiderat praeter hanc laudis et gloriae: qua quidem detracta, iudices, quid est quod in hoc
tam exiguo vitae curriculo et tam brevi tantis nos in 15
29 laboribus exerceamus? Certe si nihil animus praesentiret in posterum et si quibus regionibus vitae spatium circumscriptum est, eiusdem omnes cogitationes terminaret suas, nec tantis se laboribus frangeret neque tot curis vigiliisque angeretur nec totiens de ipsa vita dimicaret. Nunc insidet 20
quaedam in optimo quoque virtus, quae noctes ac dies animum gloriae stimulis concitat atque admonet non cum vitae tempore esse dimittendam commemorationem nominis nostri, sed cum omni posteritate adaequandam.

30 12. An vero tam parvi animi videamur esse omnes, qui in 25
re publica atque in his vitae periculis laboribusque versamur, ut, cum usque ad extremum spatium nullum tranquillum atque otiosum spiritum duxerimus, nobiscum simul moritura omnia arbitremur? An statuas et imagines, non animorum simul-
acra, sed corporum, studiose multi summi homines relique- 30
runt, consiliorum relinquere ac virtutum nostrarum effigiem nonne multo malle debemus, summis ingeniis expressam et politam? Ego vero omnia, quae gerebam, iam tum in

gerendo spargere me ac disseminare arbitrabar in orbis terrae memoriam sempiternam. Haec vero sive a meo sensu post mortem afutura est, sive, ut sapientissimi homines putaverunt, ad aliquam mei partem pertinebit, nunc quidem certe cogitatione quadam speque delector.

Qua re conservate, iudices, hominem pudore eo, quem amicorum videtis comprobari cum dignitate tum etiam vetustate, ingenio autem tanto, quantum id convenit existimari, quod summorum hominum ingeniis expetitur esse videatis, causa vero eius modi, quae beneficio legis, auctoritate municipii, testimonio Luculli, tabulis Metelli comprobetur. Quae cum ita sint, petimus a vobis, iudices, si qua non modo humana, verum etiam divina in tantis ingeniis commendatio debet esse, ut eum, qui vos, qui vestros imperatores, qui populi Romani res gestas semper ornavit, qui etiam his recentibus nostris vestrisque domesticis periculis aeternum se testimonium laudis daturum esse profitetur, estque ex eo numero, qui semper apud omnes sancti sunt habiti itaque dicti, sic in vestram accipiatis fidem, ut humanitate vestra levatus potius quam acerbitate violatus esse videatur. Quae de causa pro mea consuetudine breviter simpliciterque dixi, iudices, ea confido probata esse omnibus; quae autem remota a mea iudicialique consuetudine et de hominis ingenio et communiter de ipsius studio locutus sum, ea, iudices, a vobis spero esse in bonam partem accepta, ab eo, qui iudicium exercet, certo scio.

INTRODUCTION

TO THE

NINTH PHILIPPIC ORATION.

1. THE Philippic Orations, deriving their name from their resemblance to the speeches of Demosthenes against Philip, are for the most part full of invective against M. Antonius, as attempting to make himself a tyrant after the death of Julius Caesar. The ninth Oration differs from the rest in its subject, being concerned with the praises of Servius Sulpicius, but yet it finds a natural place in the series, from its close connection with the history of Antonius. To understand its bearing, we must look at the position of affairs at the close of B.C. 44, in which year Antonius was consul, and the beginning of B.C. 43.

2. On the 28th of November, B.C. 44, finding that his schemes for establishing a despotism in Rome were baffled by the vigilance of the constitutional party, and the energy of the young Octavianus, Antonius suddenly quitted Rome, and having collected some troops at Tibur, he set out for Cisalpine Gaul, intending to wrest that province from Decimus Brutus, its rightful governor. Brutus immediately threw himself into Mutina, the modern Modena, resolved to stand a siege rather than surrender his command, and Octavianus at the head of a considerable force marched to attack Antonius in the rear.

3. No further measures could be taken at home, owing to the absence of both consuls, till the end of the year, but on the 1st of January B.C. 43 a meeting of the senate was held to consider the position of affairs. A proposal was then made by Q. Fufius Calenus, a partisan of Antonius, that negotiations should be opened with him in the hope of bringing him back to his allegiance. Cicero strongly opposed this course in his fifth Philippic, but Calenus carried his point; and Servius Sulpicius, L. Piso, and

L. Philippus were appointed envoys to Antonius. They were instructed to call upon him to raise the siege of Mutina, to cease from further hostilities against Brutus, and from all attempts upon the province of Cisalpine Gaul, and to submit himself in all respects to the authority of the senate and Roman people.

4. Servius Sulpicius was in very bad health before he started, and he died before he reached the camp of Antonius. He had been anxious to decline the commission, but yielded to pressure put on him by the senate, so that Cicero had some foundation for saying that the senate was responsible for his death. He had been chosen as ambassador on account of his eminence as a jurist, and his high reputation for uprightness of character; and Cicero is probably guilty of no exaggeration in pronouncing him the mainstay of the expedition. The consul, C. Vibius Pansa, proposed that he should receive a public funeral, and a gilt pedestrian statue be placed in his honour before the Rostra; and it was in support of this motion that Cicero delivered his ninth Philippic oration. He says that he need have spoken but a very few words, had not P. Servilius opposed the latter part of the decree, on the ground that a statue had never before been voted to any ambassador, unless he had been slain by violence on his embassy. Cicero urges that Sulpicius even more truly gave his life for his country than any who had been so put to death, since he knew before he started that he had small chance of returning. He points out how fully Sulpicius had proved himself worthy of such honours, and how the form of them was most appropriate to the man. The motion of the consul was carried in its integrity, and a statue was erected before the Rostra, which was still standing in the time of Aurelian, as a testimony to the fame of Sulpicius and the eloquence of Cicero.

5. The speech is one of the most genial and pleasing which we have from Cicero: it displays genuine feeling for the loss of a friend, and, in the warm panegyric which he utters over the illustrious jurist, he forgets for a time the bitterness of his animosity against Antonius. There is but little difficulty in the language of the speech, which is probably owing partly to the fact that Cicero could on this occasion speak exactly as he felt, and had no occasion for the complications caused by veiled sarcasm and artificial innuendo.

M. TULLII CICERONIS

ORATIONUM PHILIPPICARUM

LIBER NONUS.

1 **1.** VELLEM di immortales fecissent, patres conscripti, ut
vivo potius Ser. Sulpicio gratias ageremus quam honores
mortuo quaereremus. Nec vero dubito quin, si ille vir lega-
tionem renuntiare potuisset, reditus eius et vobis gratus fuerit
et rei publicae salutaris futurus, non quo L. Philippo et 5
L. Pisoni aut studium aut cura defuerit in tanto officio tan-
toque munere, sed cum Ser. Sulpicius aetate illos anteiret,
sapientia omnes, subito ereptus e causa totam legationem
2 orbam et debilitatam reliquit. Quod si cuiquam iustus honos
habitus est in morte legato, in nullo iustior quam in Ser. Sul- 10
picio reperietur. Ceteri, qui in legatione mortem obierunt,
ad incertum vitae periculum sine ullo mortis metu profecti
sunt: Ser. Sulpicius cum aliqua perveniendi ad M. Antonium
spe profectus est, nulla revertendi. Qui cum ita adfectus esset,
ut, si ad gravem valetudinem labor accessisset, sibi ipse diffi- 15
deret, non recusavit quo minus vel extremo spiritu, si quam
opem rei publicae ferre posset, experiretur. Itaque non illum
vis hiemis, non nives, non longitudo itineris, non asperitas
viarum, non morbus ingravescens retardavit, cumque iam ad
congressum colloquiumque eius pervenisset, ad quem erat 20
missus, in ipsa cura ac meditatione obeundi sui muneris
excessit e vita.

3 Ut igitur alia, sic hoc, C. Pansa, praeclare, quod et nos

ad honorandum Ser. Sulpicium cohortatus es, et ipse multa copiose de ipsius laude dixisti. Quibus a te dictis nihil praeter sententiam dicerem, nisi P. Servilio, clarissimo viro, respondendum putarem, qui hunc honorem statuae nemini 5 tribuendum censuit nisi ei, qui ferro esset in legatione interfectus. Ego autem, patres conscripti, sic interpretor sensisse maiores nostros, ut causam mortis censuerint, non genus, esse quaerendum. Etenim cui legatio ipsa morti fuisset, eius monumentum exstare voluerunt, ut in bellis periculosis obirent 10 homines legationis munus audacius. Non igitur exempla maiorum quaerenda, sed consilium est eorum, a quo ipsa exempla nata sunt, explicandum.

2. Lars Tolumnius, rex Veientium, quattuor legatos populi Romani Fidenis interemit, quorum statuae steterunt 15 usque ad meam memoriam in rostris. Iustus honos; eis enim maiores nostri, qui ob rem publicam mortem obierant, pro brevi vita diuturnam memoriam reddiderunt. Cn. Octavii, clari viri et magni, qui primus in eam familiam, quae postea viris fortissimis floruit, attulit consulatum, statuam videmus in rostris. Nemo tum novitati invidebat; 20 nemo virtutem non honorabat. At ea fuit legatio Octavii, in qua periculi suspicio non subesset. Nam cum esset missus a senatu ad animos regum perspiciendos liberorumque populorum, maximeque ut nepotem regis Antiochi, eius qui cum 25 maioribus nostri bellum gesserat, classes habere, elephantos alere prohiberet, Laudiceae in gymnasio a quodam Leptine est interfectus. Reddita est ei tum a maioribus statua pro 5 vita, quae multos per annos progeniem eius honestaret, nunc ad tantae familiae memoriam sola restat. Atqui et huic et 30 Tullo Cluvio et L. Roscio et Sp. Antio et C. Fulcinio, qui a Veientium rege caesi sunt, non sanguis, qui est profusus in morte, sed ipsa mors ob rem publicam obita honori fuit.

3. Itaque, patres conscripti, si Ser. Sulpicio casus mortem

attulisset, dolerem equidem tanto rei publicae vulnere, mortem vero eius non monumento, sed luctu publico esse ornandam putarem. Nunc autem quis dubitat quin ei vitam abstulerit ipsa legatio? Secum enim ille mortem extulit: quam, si nobiscum remansisset, sua cura, optimi filii fidelissimaeque 5
6 coniugis diligentia vitare potuisset. At ille cum videret, si vestrae auctoritati non paruisset, dissimilem se futurum sui, sin paruisset, munus sibi illud pro re publica susceptum vitae finem fore, maluit in maximo rei publicae discrimine emori quam minus quam potuisset videri rei publicae pro- 10
fuisse. Multis illi in urbibus, iter qua faciebat, reficiendi se et curandi potestas fuit. Aderat hospitem invitatio liberalis pro dignitate summi viri et eorum hortatio, qui una erant missi, ad requiescendum et vitae suae consulendum. At ille properans, festinans, mandata vestra conficere cupiens, in 15
7 hac constantia morbo adversante perseveravit. Cuius cum adventu maxime perturbatus esset Antonius, quod ea, quae sibi iussu vestro denuntiarentur, auctoritate erant et sententia Ser. Sulpicii constituta, declaravit quam odisset senatum, cum auctorem senatus extinctum laete atque insolenter tulit. 20
Non igitur magis Leptines Octavium nec Veientium rex eos, quos modo nominavi, quam Ser. Sulpicium occidit Antonius. Is enim profecto mortem attulit, qui causa mortis fuit. Quocirca etiam ad posteritatis memoriam pertinere arbitror exstare, quod fuerit de hoc bello iudicium senatus. Erit 25
enim statua ipsa testis bellum tam grave fuisse, ut legati interitus honoris memoriam consecutus sit.

8 4. Quod si excusationem Ser. Sulpicii, patres conscripti, legationis obeundae recordari volueritis, nulla dubitatio relinquetur quin honore mortui, quam vivo iniuriam fecimus, 30
sarciamus. Vos enim, patres conscripti—grave dictu est, sed dicendum tamen—vos, inquam, Ser. Sulpicium vita privastis: quem cum videretis re magis morbum quam oratione

excusantem, non vos quidem crudeles fuistis—quid enim minus in hunc ordinem convenit?—sed cum speraretis nihil esse, quod non illius auctoritate et sapientia effici posset, vehementius excusationi obstitistis atque eum, qui semper
 5 vestrum consensum gravissimum iudicavisset, de sententia deiecistis. Ut vero Pansae consulis accessit cohortatio gra-
 9 vior quam aures Ser. Sulpicii ferre didicissent, tum vero denique filium meque seduxit atque ita locutus est, ut auctoritatem vestram vitae suae se diceret anteferre. Cuius nos
 10 virtutem admirati non ausi sumus adversari voluntati. Movebatur singulari pietate filius; non multum eius perturbationi meus dolor concedebat: sed uterque nostrum cedere cogebatur magnitudini animi orationisque gravitati, cum quidem ille maxima laude et gratulatione omnium vestrum pollicitus
 15 est se quod velletis esse facturum, neque eius sententiae periculum vitaturum, cuius ipse auctor fuisset: quem exsequi mandata vestra properantem mane postridie prosecuti sumus. Qui quidem discedens mecum ita locutus est, ut eius oratio omen fati videretur.

20 5. Reddite igitur, patres conscripti, ei vitam, cui ademistis: 1
 vita enim mortuorum in memoria est posita vivorum. Perficite, ut is, quem vos inscii ad mortem misistis, immortalitatem habeat a vobis. Cui si statuam in rostris decreto vestro statueritis, nulla eius legationem posteritatis obscurabit
 25 oblivio. Nam reliqua Ser. Sulpicii vita multis erit praeclarisque monumentis ad omnem memoriam commendata. Semper illius gravitatem, constantiam, fidem, praestantem in re publica tuenda curam atque prudentiam omnium mortalium fama celebrabit. Nec vero silebitur admirabilis
 30 quaedam et incredibilis ac paene divina eius in legibus interpretandis, aequitate explicanda scientia. Omnes ex omni aetate, qui in hac civitate intelligentiam iuris habuerunt, si unum in locum conferantur, cum Ser. Sulpicio non sint com-

parandi. Nec enim ille magis iuris consultus quam iustitiae
 11 fuit. Ita ea quae proficiscebantur a legibus et ab iure civili
 semper ad facilitatem aequitatemque referebat, neque insti-
 tuere litium actiones malebat quam controversias tollere.
 Ergo hoc statuae monumento non eget: habet alia maiora. 5
 Haec enim statua mortis honestae testis erit, illa memoria
 vitae gloriosae, ut hoc magis monumentum grati senatus
 12 quam clari viri futurum sit. Multum etiam valuisse ad patris
 honorem pietas filii videbitur: qui quamquam afflictus luctu
 non adest, tamen sic animati esse debetis, ut si ille adesset. 10
 Est autem ita affectus, ut nemo umquam unici filii mortem
 magis doluerit quam ille maeret patris. Et quidem etiam ad
 famam Ser. Sulpicii filii arbitror pertinere, ut videatur honorem
 debitum patri praestitisse. Quamquam nullum monumentum
 clarius Ser. Sulpicius relinquere potuit quam effigiem morum 15
 suorum, virtutis, constantiae, pietatis, ingenii filium, cuius
 luctus aut hoc honore vestro aut nullo solacio levare potest.

13 **6.** Mihi autem recordanti Ser. Sulpicii multos in nostra
 familiaritate sermones gratior illi videtur, si qui est sensus in
 morte, aenea statua futura et ea pedestris quam inaurata 20
 equestris, qualis L. Sullae primum statuta est. Mirifice enim
 Servius maiorum continentiam diligebat, huius saeculi inso-
 lentiam vituperabat. Ut igitur si ipsum consulam quid velit,
 sic pedestrem ex aere statuam tamquam ex eius auctoritate
 et voluntate decerno: quae quidem magnum civium dolorem 25
 14 et desiderium honore monumenti minuet et leniet. Atque
 hanc meam sententiam, patres conscripti, P. Servilii sententia
 comprobare necesse est: qui sepulchrum publice decer-
 nendum Ser. Sulpicio censuit, statuam non censuit. Nam si
 mors legati sine caede atque ferro nullum honorem desiderat, 30
 cur decernit honorem sepulturae, qui maximus haberi potest
 mortuo? Sin id tribuit Ser. Sulpicio, quod non est datum
 Cn. Octavio, cur, quod illi datum est, huic dandum esse non

censet? Maiores quidem nostri statuas multis decreverunt. sepulchra paucis. Sed statuæ intereunt tempestate, vi, vetustate: sepulchrorum autem sanctitas in ipso solo est, quod nulla vi moveri neque deleri potest; atque, ut cetera extinguuntur, sic sepulchra sanctiora fiunt vetustate. Augeatur igitur isto honore etiam is vir, cui nullus honos tribui non debitus potest; grati simus in eius morte decoranda, cui nullam iam aliam gratiam referre possumus. Notetur etiam M. Antonii, nefarium bellum gerentis, scelerata audacia. His enim honoribus habitis Ser. Sulpicio repudiatae reiectaeque legationis ab Antonio manebit testificatio sempiterna.

7. Quas ob res ita censeo: Cum Ser. Sulpicius Q. F. Lemonia Rufus difficillimo rei publicae tempore, gravi periculosoque morbo affectus, auctoritatem senatus, salutem rei publicae vitae suae praeposuerit contraque vim gravitatemque morbi contenderit, ut in castra M. Antonii, quo senatus eum miserat, perveniret, isque, cum iam prope castra venisset, vi morbi oppressus vitam amiserit maximo rei publicae tempore, eiusque mors consentanea vitae fuerit sanctissime honestissimeque actae, in qua saepe magno usui rei publicae Ser. Sulpicius et privatus et in magistratibus fuerit: cum talis vir ob rem publicam in legatione mortem obierit, senatui placere Ser. Sulpicio statuam pedestrem aeneam in rostris ex huius ordinis sententia statui circumque eam statuam locum ludis gladiatoribusque liberos posterosque eius quoquo versus pedes quinque habere, quod is ob rem publicam mortem obierit, eamque causam in basi inscribi: utique C. Pansa A. Hirtius consules, alter ambove, si eis videatur, quaestoribus urbis imperent, ut eam basim statuamque faciendam et in rostris statuendam locent, quantique locaverint, tantam pecuniam redemptori attribuendam solvendamque curent: cumque antea senatus auctoritatem suam in virorum fortium funeribus ornamentisque ostenderit, placere

17 eum quam amplissime supremo suo die efferri. Et cum Ser. Sulpicius Q. F. Lemonia Rufus ita de re publica meritus sit, ut eis ornamentis decorari debeat, senatum censere atque e re publica aestimare aediles curules edictum, quod de funeribus habeant, Ser. Sulpicii Q. F. Lemonia Rufi funeri remittere; 5 utique locum sepulchro in campo Esquilino C. Pansa consul, seu quo in loco videbitur, pedes xxx. quoquo versus adsignet, quo Ser. Sulpicius inferatur: quod sepulchrum ipsius, liberorum posterorumque eius esset, uti quod optimo iure publice sepulchrum datum esset.

NOTES.

THE FIRST ACTION AGAINST GAIUS VERRES.

c. 1. Cicero congratulates the jury on the opportunity now given them to remove the prejudice that existed against the senators in their judicial capacity. This they might do by returning a righteous verdict against so flagrant an offender as Gaius Verres, in spite of the influence secured to him by his ill-gained wealth.

Page 5, line 2. *Vestri ordinis*; i. e. of the Senate, from whose body the *iudices* had been exclusively chosen since the passing of the *Lex Cornelia*, in B.C. 81. At the time of this trial a proposal of L. Aurelius Cotta was under discussion, which afterwards passed into law, for dividing this privilege between the Senate, the Equites, and the *Tribuni Aerarii*, and Cicero here congratulates the senators on the opportunity of proving their fitness to retain exclusive possession of it.

l. 4. *Summo rei publicae tempore*, 'at a most momentous crisis in the state,' when such vital interests as those above referred to were at stake.

l. 8. *Quae nunc sunt*, 'under existing regulations.' As this clause is merely an expansion of 'his,' the indicative is retained, though in the *oratio obliqua*, the whole relative clause being regarded as a mere epithet. See *Madv.* § 369, *Obs. 1.*

Quamvis sit nocens, 'however guilty he may be;' *quamvis* attaching itself, as is usually the case, to the predicate.

l. 10. *Contionibus*, 'by speeches at public meetings,' generally summoned by some duly constituted authority, but not invested with any legal powers. The allusions may be to M. Lollius Palicanus, a tribune of the commons in B.C. 71, and a supporter of the *Lex Aurelia*: or to L. Quintius, a vehement opponent of the *Lex Cornelia*, who had been tribune in B.C. 74, and who is described by Cicero elsewhere as '*aptisimus turbulentis contionibus*:' *Brut.* 62, 223.

l. 11. *Invidiam senatus*, 'the odium' consequent on their venality.

l. 12. *C. Verres*. The praenomen designated by C. is Gaius, as Cn. stands for Gnaeus, the original form of the G being retained in each case, instead of the modification introduced by Carvilius about 220 B.C.

l. 14. *Sua spe, &c.*, 'but who confidently himself proclaims his hope that his acquittal is secured by his enormous wealth.'

l. 17. *Succurrerem*, 'to be your champion against the general prejudices attaching to your body.'

Reconciliare, 'to win back again.'

l. 20. *Depeculatorem aerarii*. Verres had been quaestor to Cn. Papirius Carbo in B.C. 82, in Cisalpine Gaul, and in that capacity had embezzled the public money entrusted to him, and deserted his own party for that of Sulla. (See Merivale, *Fall of Rom. Rep.* p. 129.)

Asiae atque Pamphyliae; as legatus and afterwards proquaestor to Cn. Cornelius Dolabella, praetor of Cilicia, in which province Pamphylia was included, in B.C. 80-79.

l. 21. *Praedonem iuris urbani*. In his city praetorship, B.C. 74, his judicial decisions had been notorious for their venality, and he was involved in the scandal of the *iudicium Iunianum*. See c. 10, 29 note.

l. 23. *Istius*, 'of the man before you,' an ordinary forensic term for the defendant.

P. 6, l. 1. *Religionem veritatemque*, 'the sense of religious obligation and regard for truth which should characterise the judicial bench.'

l. 2. *Iudicium*, 'a verdict worthy of the name.'

cc. 2, 3. *Whilst he could not but feel apprehension lest his professional reputation should be injured by any possible failure in such a cause, he was yet reassured by the folly of which Verres had been guilty in the midst of his audacity. He had shown his hand too plainly, and made too open a boast of his intention to corrupt the court. Finding that the present year was unfavourable for his purpose, he had devised a scheme for blocking the law courts by a sham prosecution, which should take precedence of his own trial. Cicero baffled this stratagem, by the diligence with which he collected his evidence in less than half the time allowed to him.*

l. 6. *Insidiae*. Of these we know nothing. Cicero seems to hint at schemes against his life on his journey to or from Sicily. The present peril in which he stands is lest his reputation should be damaged by a corrupt acquittal of Verres; and to this the *insidiae* in the following section refer, but here he seems to speak of snares which had been already set and foiled. Cp. Act. 2. 2. 40, 99, where he says that on his return from Sicily he took a small boat from Vibo to Velia, for safety 'inter fugitivorum ac praedonum ac tua tela.'

l. 10. *Exspectatio*, 'the expectations entertained about my conduct of the prosecution.'

l. 16. *Surripissent*, 'had pilfered *secretly*:' *eripuisse*, 'had carried off without disguise.'

l. 17. *Multis*, i. e. enough to satisfy all whom it might be requisite to bribe.

Sanctum . . . munitum. 'Nothing was so holy that it might not be assailed, no fortress so strong that it could not be stormed by gold.' Cp. de Imp. Cn. Pomp. c. 32, 65: 'Quam civitatem sanctam, quam domum satis clausam ac munitam fuisse.'

l. 22. *Audacia*, in that he was apertus in corripendis pecuniis: *stultitia*, in that he so openly betrayed his schemes for corrupting the jury. See on p. 13, l. 29.

l. 25. *Reus factus sit*, 'was formally indicted:' the first step in a Roman trial being to make a formal accusation of the defendant before the praetor. If he pleaded not guilty, the praetor then appointed a day for the trial.

l. 27. *Flagraret*, 'was in the full blaze of unpopularity and infamy.'

l. 28. *Tempus alienum*, 'a bad time for the purpose.' The agitation for the *Lex Aurelia*, and the scandal of the *iudicium Iunianum* (see on p. 14, l. 13), would both conduce to render the jury very cautious about accepting bribes.

l. 29. *Diem . . . perexiguam*. Cicero asked for 110 days to collect his evidence in Sicily, including the time required for the journey to and fro. Thereupon it would seem that Verres and his friends made up an accusation against some one of whom we know nothing further, for malversation in Achaia. The prosecutor on this charge undertook to get his case ready in 108 days, so as to gain possession of the court before Cicero was ready. Had their plot succeeded, they would have caused delay, and probably would have effected their object of postponing the trial of Verres till the following year. Cicero thwarted their scheme by completing his preparations within fifty days, before the other prosecutor had got so far as Brindisi.

Inquirendi in Siciliam, 'for going to Sicily to make inquiries:' the accusative marking the journey to Sicily necessary for the purpose in hand.

P. 7, l. 2. *Cognoscerem*, 'made myself acquainted with them.'

l. 5. *Obsideret*, 'to interfere with.'

c. 3. l. 7. *Paratum atque instructum*, 'with my case so thoroughly prepared, and supported by such a mass of evidence:' *paratum* referring rather to the skill with which he had got the case ready for trial, *instructum* to the materials on which it was founded.

l. 13. *Cum publicis auctoritatibus*, 'with their credentials.' This concrete use of *auctoritas*, 'an authority,' is found even in the singular, pro Cael. 22, 55: 'Recitatur vobis iure iurando devincta auctoritas.'

l. 15. *Profligata* appears to be used by Cicero as exactly synonymous with *perdita*, with which it is several times combined, though generally in the reverse order. Cp. Act. 2. 3. 26, 65: 'Omnium mortalium profligatissime et perditissime.' 'Utterly and hopelessly corrupt.'

l. 18. *Tempus* . . . *omisse*; by the device described in the note on p. 6, l. 29.

l. 21. *Poterat*. The indicative is used in this clause, because the reason is suggested by Cicero himself, not introduced as part of Verres' boast.

Non modo in causa, 'I do not say in the justice of his case,' that would be too much to ask, and so we will set that aside. Cp. de Imp. Cn. Pomp. 22, 66: 'Quae non modo imperatoris, sed unius tribum militum animos ac spiritus capere possit.'

l. 22. *In aliquo honesto praesidio*, 'in some honourable ground of confidence;' such as an appeal to his general character, or the services of his family, or the like. That this is the meaning of *praesidium* seems clear from ad Herenn. 4. 24, 33; where, after saying 'Saepe, iudices, animum adverti multos aliqua ex honesta re, quam ne inimici quidem criminari possint, sibi praesidium petere,' the writer instances a father's virtue, previous good conduct on the defendant's part, and the merits of his relations or friends.

l. 23. *Gratia*, 'in the influence of powerful friends.'

l. 25. *Arbitratu eius deligeretur*, 'that he should feel himself at liberty to pick and choose.' The senator selected is stated by the Scholiast to have been Oppius, but nothing is known about it from any other source, nor is it clear whether the intended defendant was himself an accomplice in the plot.

l. 26. *Hic*, 'our friend,' i.e. Verres. The preparation in question would consist in packing and bribing the jury. Others take 'hic' to refer to Cicero himself, like *ὄντος ἀντρ*; but this is not at all in accordance with Cicero's usage.

Quae opus essent. This use of 'opus' as a predicate, instead of 'quibus opus esset,' is found especially, though not exclusively, with neuter adjectives and pronouns, when the ablative would leave the gender ambiguous.

l. 27. *Causam* . . . *diceret*, 'should defend himself:' *causam dicere* being used exclusively of defence, unless the idea of prosecuting is directly given by the context. Hence in pro S. Rosc. Amer. 5, 13, it is used as directly antithetical to 'accusare:' 'Accusant ei qui in fortunas huius invaserunt: causam dicit is cui nihil . . . reliquerunt.'

l. 30. *Consilio*, 'this jury.'

l. 31. *In reiectione iudicium*, 'when the time came for challenging the jury.' The jury for any given trial were taken by lot from the general panel of jurymen for the year ('album iudicium selectorum'), and prosecutor and defendant had each the right of arbitrarily challenging a certain proportion of the list. We do not know how either the original number of jurymen, or the number of challengers allowed on either side was determined, but Asconius tells us that at Milo's trial, in B.C. 52, there

were eighty-one iudices appointed, and that each side challenged fifteen, five from each decuria. On the present occasion the people would seem to have approved of those jurymen being challenged who were supposed to be most accessible to bribes.

l. 33. *Rationem salutis*, 'the whole scheme for his safety.'

cc. 4, 5. *The whole life of Verres was evidence against him. As quaestor, as legatus, as praetor, he had been rapacious and regardless of the most solemn obligations: but all his previous crimes were outdone by his outrageous administration in Sicily. There neither person nor property had been spared by him. The public monuments and the temples of the gods had been plundered as unscrupulously as the treasures of individual citizens, and his profligacy had been as wanton and notorious as his rapacity.*

P. 8, l. 4. *Vitiis . . . convictam*, 'convicted by the evidence of vices and crimes;' as in Act. 2. 1. 9, 26: '*Tantis criminibus quantis tu convinceris.*' 'Convicted of vices' would be '*vitorum convictam.*'

l. 7. *Quaestura*. The quaestorship, through which a man was forced to pass before he could be elected to any higher office, could be held at the age of thirty-one. For Verres' conduct in his quaestorship, see on p. 5, l. 20.

l. 10. *Sortis necessitudinem religionemque*, an instance of *Hendiadys*; 'the sacred obligation involved in the relationship established by lot.' Before the dictatorship of Sulla the number of quaestors annually elected was eight, and the distribution of their offices was usually determined by lot. One was attached as paymaster to the staff of each consul, and the tie thus established between them was considered as sacred as that of blood relationship.

l. 11. *Legatio* was not one of the '*gradus honoris*,' being a personal appointment of the general to whose staff the '*legatus*' was attached, though it required the sanction of the senate. Verres was '*legatus*' and afterwards '*proquaestor*' to Cn. Dolabella in Cilicia B.C. 80-79, and after aiding him in his extortions, turned evidence against him, and contributed largely to his conviction in the following year.

l. 12. *Asiae*; the Roman province of Asia, comprising strictly Phrygia, Mysia, Lydia, and Caria. It would seem therefore as if the extortions of Dolabella and Verres extended beyond the limits of their own province, though the boundaries of the so-called province of Cilicia were as yet ill-defined, and seem to have included no part of Cilicia itself. In Act. 2. 1. 19, Samos and other places on the west coast are specified as the scenes of Verres' robberies.

l. 14. *Suum scelus*, 'the crime he had himself invented in his quaestorship:' i. e. of betraying his chief.

l. 16. *Pro quaestore*, 'acting quaestor;' not like '*propraetor*,' or

'proconsul,' a regular appointment by decree of the senate and people, in continuation of a previous magistracy; but an appointment made by the governor of a province to supply a casual vacancy in the quaestorship. Verres was thus appointed on the death of C. Malleolus, Doiabella's quaestor. See Act. 2. 1. 15, 41.

l. 18. **Prodidit**; a climax, adding to the malice of an assailant the meanness of a traitor.

Praetura urbana, in B.C. 74.

l. 19. **In iure dicundo**, 'in carrying on the business of his court.' The praetor's judicial functions were expressed by the three words *DO, DICO, ADDICO*; by the first of which he granted the right of commencing proceedings, by the second he gave his judgment as to the rights of the case, and by the third he awarded any property in dispute to its rightful owner. Hence *addictio* (which does not appear to be elsewhere used in classical Latin) expresses the judicial award of property whose ownership was contested in the court of Verres, and *condonatio*, 'the bestowal of property,' is added to mark that this award was commonly arbitrary, without regard to the rights of the case. So Act. 2. 1. 41, 106: 'Condonabat hereditatem ereptam a liberis.'

l. 24. **Possit**, 'that even now it can in no wise be restored to its former condition;' the present subjunctive being used even after a past tense, to mark a result still continuing at the time of speaking.

l. 25. **Recreari aliquando**, 'to recover itself at length.' 'Aliquando' is commonly used of that which comes after being long waited for, giving the sense of 'at length, and high time too.'

l. 29. **Imprudentiam**, 'the imperfect observation.'

o. 5. l. 32. **Tam patria, &c.**, 'secured by so firm a title from his father and grandfather.'

Quae non ab eo . . . abiudicaretur, 'as not to be assigned away from its proper owner.' Cp. Act. 2. 1. 2, 4: 'Rationem veritatis ab hoc ordine abiudicari.'

P. 0, l. 1. **Aratorum**. These were the occupants of the Roman state lands, which were farmed on the principle of paying tithes ('decumas') to the treasury. The frauds of Verres with respect to the corn are given in detail in Act. 2. B. 3: and are classed under three main heads; 1. the exaction of at least three times the legitimate amount of tithe; 2. the embezzlement of money which should have been paid to the Sicilian towns for corn purchased by the state; 3. exorbitant requisitions from the farmers, in lieu of the allowance of corn to which he was entitled for his own use as praetor.

l. 2. **Servilem in modum**; slaves alone being liable to torture or crucifixion, which last punishment Verres had inflicted, under circumstances of peculiar enormity, on P. Gavius of Consa, a Roman citizen. See Act. 2. 5. cc. 61 foll., and cp. especially c. 66, 170: 'Facinus est

vincire civem Romanum. scelus verberare, prope parricidium necare: quid dicam in crucem tollere?’

l. 8. **Classes.** A Roman fleet of seven ships under Cleomenes had been destroyed by a pirate force under Heracleo, mainly owing to the condition of the crews, of whom a large portion had purchased their discharge from Verres, and the remainder were starving for want of provisions. See Act. 2. 5. cc. 33 foll.

l. 11. **Regum.** Verres carried off a picture, representing a cavalry engagement of Agathocles, from the temple of Minerva at Syracuse (Act. 2. 4. 55. 122), and some trappings which had belonged to Hiero, from Phylarchus of Centuripa (Ib. 12. 29).

l. 12. **Imperatorum.** Notably M. Claudius Marcellus, who erected statues of himself and his son at Syracuse: and Scipio Africanus the younger, who restored the monuments which the Carthaginians had destroyed or carried away (Act. 2. 2. 21, 50; and 2, 3).

l. 17. **Adfabre**, ‘artistically.’ The word does not appear to occur again in classical Latin.

l. 19. **Commemorare . . . deterreor.** The infinitive appears to be used with *deterreor* only here and in c. 9, 24: ‘Agere . . . deterrebar;’ and nowhere with the active voice. See *Madv.* § 390.

l. 22. **At enim, &c.** ‘but all this, you will say, requires proof.’

l. 24. **Quin**, for ‘qui non;’ see *Madv.* § 440 a. *Obs.* 3.

l. 29. **Mecum recognoscere**, ‘to go over in review with me.’

c. 6. *In preparing for his trial, whilst he endeavoured to dazzle Cicero's eyes by the names of his great friends, he really rested his hopes on the perfection of his measures for corruption. The integrity of the jury actually empanelled dashed these hopes to the ground for a time, but they revived when he found that Q. Hortensius and Q. Metellus were elected consuls for the ensuing year.*

P. 10, l. 1. **Inania nobilitatis**, ‘an empty pretence of noble names:’ not that the noble names were worthless, but that putting them forward was merely to divert the attention of Cicero from his real devices. Hence ‘*simulat se . . . confidere.*’

l. 3. **Nobiles . . . noti**, i. e. their nobility of birth is more than outweighed by the notoriety of their character. *Nobilitas* is a technical term, applied to those who had the *ius imaginum*, through one of their ancestors having held a curule office.

l. 8. **Redemptio**, ‘the contract for bribing the jury.’ Cp. in Pis. 36, 87: ‘Quid ego rerum capitalium quaestiones, reorum pactiones, redemptiones proferam.’ On Verres' return from Sicily, some bribery agent undertook for a specified sum to bear him harmless in case of an indictment for extortion. The contract, once made, remained subject to the terms and agreement upon which it had been made (‘*in ea condicione*

atque pacto'), till it was entirely repudiated by the contractor, when he found what an impracticable jury he had to deal with. The character of the jury was due to a combination of good fortune and care; a respectable panel having been drawn by lot, and objectionable individuals on it removed by a judicious exercise of the right of challenge.

l. 15. *Libelli, &c.* 'The lists of all your names, comprising the whole jury, were made public.' This was required by the *Lex Acilia*, evidently for the purpose of preventing personation.

l. 16. *Nulla nota, &c.* It was impossible to tamper with these votes, by giving stained voting tablets to bribed jurors, in order to see whether they fulfilled their corrupt agreement.

l. 17. *Ex alacri atque laeto*, 'from being lively and in good spirits.'

l. 20. *Comitiis . . . factis*. Now that Hortensius and Metellus are elected consuls.

l. 21. *Vetera consilia*, of bribing and delay, the old contractors being once again called into action.

l. 24. *Argumento indicioque*, 'hint and token;' 'argumentum' being some antecedent which made it probable that such a course would be adopted; 'indicium' some piece of evidence to show that Verres was actually following it. The two terms answer to the Greek *εἶδος* and *σημείον*.

l. 25. *Aperto suspicionis introitu*, 'when the door to suspicion was once opened.'

c. 7. *When the result of the elections became known, Verres was openly and publicly congratulated, as though his acquittal were now certain through the influence of Hortensius.*

l. 29. *C. Curio*, an intimate friend of Cicero's, consul in B.C. 76.

l. 30. *Honoris causa*, 'whom I would have you understand that I name with all respect,' a usual formula when living persons are spoken of by name, so that no especial compliment is thereby intended. Cp. *de Imp. Cn. Pomp.* 19, 58.

l. 32. *Tam aperte palamque*, 'with so little reserve in such a public place.'

P. 11, l. 1. *Dignitatis illius, as consular.*

l. 2. *Fornicem Fabianum*. This arch, erected by Q. Fabius Maximus Allobrogicus, in commemoration of his victory in Auvergne in B.C. 121, appears to have crossed the *Via Sacra* near the Temple of Vesta.

l. 6. *Renuntio . . . tibi*, 'I proclaim to you;' the word being probably chosen as being technically appropriate for declaring the result of an election.

l. 8. *Defertur*, 'is duly reported to me.' though, he goes on to say, no formal report was needed, as every one he met was full of it.

l. 11. *In crimum ratione*, 'in the management of the charges.'

l. 16. **Nulla esse iudicia**, 'that any one might see distinctly that the courts no longer had a real existence.' Cicero carefully puts this insinuation before the jury as coming from his acquaintances rather than from himself.

l. 19. **Negotiatores**. In the time of the Republic 'negotiatores' were distinguished from **mercatores** as being necessarily Roman citizens: a distinction which was subsequently lost. The term would include our bankers and wholesale merchants.

l. 22. **Existimationem**, 'the general feelings of the Roman people;' a kind of influence that as avowedly had its weight in an Athenian or a Roman court of law, as it is jealously excluded from our own.

l. 23. **Moderatione**, 'on the discretion.'

cc. 8, 9. *Measures were immediately taken for systematic bribery, partly with a view to the postponement of the trial, partly to hamper Cicero by opposing his election as aedile. From the latter embarrassment he was freed by the generous support which the Roman people gave him: but he saw great dangers in the way, not only through the projected delay of the trial, but also from attempts made by Q. Metellus, the consul elect, to intimidate the Sicilian witnesses.*

l. 25. **Optimus . . . quisque**. The superlative with 'quisque' generally conveys an idea of proportion. 'The more excellent a man was, the more certainly he would say to me.'

l. 26. **Nos**, 'we senators.'

l. 28. **Recusare, &c.**, 'to oppose the transference of the *iudicium* to the knights.' Cp. Act. 2. 1. 2, 6: 'Sin absolvitur, desinemus nos de iudiciis transferendis recusare.'

l. 29. **Amplissimi**, 'a man of such high position as C. Curio.'

l. 31. **Voltu tegere**, 'to avoid betraying it by the expression of my countenance.'

l. 33. **M. Metello**, brother of the consul elect, and equally a friend of Verres. In determining by lot the provinces of the eight praetors for B.C. 69, it fell to him to preside over the court which took cognizance of extortion (*quaestio perpetua de rebus repetundis*), and this gave Verres an additional motive for wishing to postpone the trial.

P. 12, l. 4. **Neque tamen tanto opere . . . intellegebam**, 'and yet I could not understand in its full extent what grounds I had for apprehension.' The excitement showed that there was something wrong, but its full meaning was difficult to fathom.

l. 6. **Fiscos**, 'baskets full of money.' Cp. Phaedr. 2. 7. 2:—

'Unus (mulus) ferebat fiscos cum pecunia.'

l. 8. **Ex his** must mean, somewhat irregularly, out of the whole number with which the senator had in the first instance been entrusted, not out of those which he had taken to the knight.

l. 9. *Comitiorum meorum*. Sc. his election to the aedileship, as it is explained in the next section.

Divisores. Bribery was so completely reduced to a system at Rome, as to have a technical phraseology of its own. These 'distributors' were the men who were told off to distribute the bribes in the several tribes.

l. 11. *Omnia . . . debere*, 'were bound to do anything.'

l. 14. *Proximis*, to secure the election of Hortensius and the two Metelli.

l. 15. *Continuo*, 'on the spot.'

l. 19. *Romilia*, sc. tribu. This was one of the original country tribes left after the invasion of Porsenna. Cp. Act. 2. 2. 43, 107: 'C. Claudius C. F. Palatina.'

l. 20. *Disciplina*, a term borrowed from the schools of philosophy: 'from a first-rate school of distributors.'

HS quingentis milibus. *HS*, probably for *IIS*, or $2\frac{1}{2}$, rather than for *LLS* (*libra libra semis*), is the ordinary notation for a sestertertius; the third unit, as the name denotes, being only a half. It was always $2\frac{1}{2}$ asses, or a quarter of a denarius, but differed in value with the fluctuation in the value of money. In Cicero's time it may be estimated at about $2\frac{1}{2}d.$, so that the 'sestertium' or *sum* of 1000 sesterces may be roughly taken as worth £9. Cicero's defeat was therefore considered likely to cost nearly £4500.

c. 9. l. 25. *Perexiguo*. This he presently explains by the immediate proximity of his own election and the trial of Verres, for both of which this money was being actively employed: and each distracted his thoughts from the other. The pressure of time may be appreciated when we remember that the election of consuls, followed by that of praetors, was on July 27, and that the trial, which was subsequent to the election of aediles, began on Aug. 5.

l. 26. *Oppugnabar*, 'my position was being assailed.'

l. 28. *Agere . . . deterrebar*. See on p. 9, l. 19.

l. 31. *Ratio non erat*, 'it was out of all reason.' Cp. pro Caec. 5, 15: 'Nullam esse rationem amittere eiusmodi occasionem'

l. 32. *Districtum atque obligatum futurum*, 'should be hampered and preoccupied in every direction.' This mode of forming a future infinitive passive, by the use of the past participle with *futurum* or *fore*, is not sufficiently noticed in the grammars. It is especially common in Cicero's Epistles, and has frequently though not invariably a future perfect sense. See *Madv.* § 410, Obs. 2.

l. 33. *Primum ab Hortensio*. Afterwards (§ 27) by Metellus, to whom they paid somewhat more heed.

P. 13, l. 1. *Siculos, &c.* The grammar of this sentence is obscure. The main accusative with the infinitive depends on *audio*; and would

naturally have been followed by quos (= et eos), non venisse (Madv. § 402 a), but the subject of venisse and intelligerent being the same persons, the relative is expressed in the nominative with the dependent verb, instead of in the accusative with the leading verb. We should naturally use the demonstrative in both cases; 'the Sicilians showed their independence, and declined to come when they learned the reason of the summons.' If 'qui' had any causal force, 'venissent' would be a necessary emendation.

l. 5. *Coepta sunt*; so more usually than 'coeperunt,' when followed by a *passive* infinitive. See Madv. § 161.

l. 7. *Convenire*. The Pseudo-Asconius gives this a technical meaning, 'quasi de promissorum debito:' but as the word is nowhere else used in this legal signification in classical Latin, and as the ordinary meaning gives good sense, it is probable that Cicero only means 'he addresses and calls on all the distributors.'

l. 9. *Ut . . . ne*. This old form of the negative is commonly used after 'ut' consecutive. Cp. c. 17, 52: 'Ut ne quis te possit demovere.'

Deducere, if bestowed on myself, *deicerer*, if it were used to corrupt the tribes.

l. 14. *Duceretur*, 'should be spun out.' So 'ducturos,' c. 10, 31.

l. 15. *M. Metellum*. Of M. Metellus we know nothing except what is told us here of his praetorship. His brother Lucius, after a just and prudent administration of the praetorship in Sicily, was elected consul for b.c. 68, but died in the beginning of the year.

l. 17. *Non solum*, 'and not Hortensius alone, but also Q. Metellus.' The unusual position of 'non solum' following 'Hortensium consulem,' is to give emphasis to the importance which Verres attached to the consulship of Hortensius.

l. 18. *Praerogativam*, 'an earnest of his goodwill.' At the election for consuls so much importance was attached to the first vote, that it was determined by lot which century should vote first, and this was called 'praerogativa centuria.' From the influence which this vote had in determining the rest, a significant beginning in any procedure came to be called, as here, 'praerogativa.' Here Cicero plays on the double meaning of the word, in a manner which cannot be reproduced in another language. 'In this earnest of his goodwill he seemed at once to have repaid Verres for purchasing the votes which determined his election.'

l. 24. *Propterea quod . . . esset*. The subjunctive, because not only the fact, but its influence on their minds, is alleged as the cause of their coming. 'Because they felt that he was praetor in Sicily.'

l. 25. *Se consulem esse*. Actually only consul elect.

l. 26. *Obtinere*, was in possession of.

c. 10. *With the trial postponed Verres had every ground for hope. He would substitute a friendly for an upright judge, and would get rid of sundry jurymen who were too honest for his purposes. And owing to the fact that one set of Games after another was impending, he had a reasonable prospect of spinning out the preliminary proceedings till the end of the year.*

l. 29. *Iudicium corrumpere*, 'to bring about a failure of justice,' in a more general sense than in c. 2, where it seems to mean 'to corrupt the iudices.'

l. 31. *Non solum auctoritate*, 'not only by the weight of your personal authority, but by the awe with which your office inspires them.'

l. 32. *Duorum praetorum*, i. e. of M. Metellus in Rome, and L. Metellus in Sicily.

P. 14, l. 4. *Non fato*. An obvious allusion to the line, commonly but erroneously attributed to Naevius (who died some fifty years before the consulships of the Metelli),

Fato Metelli Romae fiunt consules,

for which Q. Metellus is said to have taken vengeance by the retort,

Dabunt malum Metelli Naevio poetae,

and by throwing the poet into prison.

l. 5. *Quaesitor*, 'the president of the court.'

l. 8. *M^o. Glabrimonem*. The merits of Glabrio as praetor seem to have been rather negative than positive. He was upright and independent, but inclined to be lazy and negligent. Cicero says (*Brut.* 68, 230) that the good education which he received from his grandfather was neutralized by his own sluggishness and want of energy; and this was borne out by his inefficiency in his consulship, when he succeeded L. Lucullus in carrying on the war with Mithridates, B.C. 67.

l. 9. *Illud*, 'the following advantage.'

M. Caesonius was Cicero's colleague in the aedileship for the ensuing year, and therefore could not then have sat upon the jury.

l. 13. *In Iuniano consilio*, 'on the jury over which C. Iunius presided.' C. Iunius, as praetor in B.C. 74, presided at the trial of Oppianicus and others for attempting to poison A. Cluentius. Their acquittal was procured by such open bribery, that C. Iunius, who was implicated, was obliged to retire from public life, and *Iunianum consilium* became proverbial for an unjust judgment. Cp. *Act.* 2. 1. 61, 159.

l. 15. *Q. Manlius* is otherwise unknown. *Q. Cornificius* was a candidate against Cicero for the consulship. It is not known for certain at what time of year these tribunes entered upon office, but probably in December.

l. 18. *Magistratum*, perhaps the quaestorship.

l. 19. *M. Crepereius*. Notwithstanding Cicero's eulogy on the family, we hear nothing else of it during the Republic.

l. 20. *L. Cassius*. Of this man we know nothing, unless he is the

same as one of Cicero's competitors for the consulship. The allusion to his family evidently refers to L. Cassius Longinus, whose Lex Tabellaria in B.C. 137 introduced the ballot in the Iudicium Populi. As a judge he was noted for his impartial severity, and Cicero is especially fond of quoting the question which he used to ask, 'Cui bono?' 'who had a motive for the crime?' See Phil. 2. 14, 35; pro S. Rosc. Amer. 30, 84, &c.

l. 22. *Veteres*, perhaps 'veterans;' with experience in the work.

l. 23. *Tribuni militares*, the chief officers in the legions, to each of which there were six.

l. 24. *Subsortiemur*, 'we shall appoint by lot to fill the vacancy.' So 'subrogare,' 'to elect into a vacant place.'

l. 25. *Secundum*, in the most literal sense of the word, 'following after.'

l. 28. *Nonae . . . Sextiles*, the 5th of August.

l. 29. *Hora octava*. The Roman day being divided into twelve hours, computed from sunrise to sunset, the eighth hour in the beginning of August would begin about twelve minutes past one in the afternoon. As the ninth was the ordinary dinner hour, it is clear that the day was pretty nearly gone before they set to work.

l. 30. *Ludos votivos*, special games, in fulfilment of some vows. These were for Pompey's victory over Sertorius.

l. 32. *Continuo*, 'without an interval.' Cicero appears here to be treating as one festival the *Ludi Magni*, from the 4th to the 12th of September, and the *Ludi Romani* in Circo, which followed them at two days' interval, and lasted from the 15th to the 18th. See Phil. 2. 43, 110. If the *Ludi Votivi* began on August 14th, ten days inclusive reckoning from the time that Cicero was speaking, this would give thirty-six days of nearly continuous games.

P. 15, l. 2. *Excusando*, 'with pretexts for not going on with the defence;' such as illness, or a death in the family, or the like.

Ad ludos Victoriae. These were instituted by Sulla in B.C. 82, to commemorate his victory over the Samnites under Pontius of Telesia before the Colline gate. They were celebrated annually on Oct. 27.

l. 3. *Plebeios*. The *Ludi Plebei* were probably in commemoration of the reconciliation between patricians and plebeians after the first secession to the Mons Sacer in B.C. 494. They were on Nov. 4-17.

l. 4. *Refrigerata*, 'with all its interest grown cold.'

l. 8. *Iurato*. As iudex Metellus would be on his oath, but not as praetor: and Cicero says he would rather trust his honesty in giving a single vote under oath, than in scrutinizing those of all the jury when under no such obligation. 'Iuratus' is not infrequently used thus as a middle participle, of one who has bound himself by an oath; cp. c. 13, 40, 'Iuratorum hominum:' and in the silver age the finite verb is

similarly used as a deponent. Even in Cicero we find the perfect 'iuratus sum.'

c. 11. *Cicero now unfolds his own intentions, showing that the necessity for promptitude made him abandon all idea of making an elaborate speech, and confine himself at present to producing evidence.*

l. 13. **Meo legitimo tempore**, 'all the time allowed me by law,' which according to the Scholiast was twenty days.

l. 17. **Elabatur**, 'slip out of my toils.'

l. 19. **Absconditum**, 'recondite.' or 'abstruse.'

l. 20. **Perpetua oratione**, 'a continuous speech,' unbroken by evidence or production of documents.

Percipi potuit, 'might have been gained.'

l. 22. **Auctoritatibusque**. See on p. 7, l. 13.

l. 23. **Te mecum . . . contendere**, 'if I thought it simply a trial of strength between you and me.'

Ex istius tempore, &c., 'to make the time fit in with the requirements of the defendant's case.'

l. 27. **Malitiose**, 'unscrupulously.' Cicero defines 'malitia' as 'versuta et fallax ratio nocendi,' Nat. Deor. 3. 30, 75.

l. 28. **Tua ratio**, 'your scheme.'

l. 29. **Secundum binos ludos**, 'after the Ludi Votivi of Cn. Pompeius and the Ludi Romani.' The distributive numeral is used because 'ludi,' of a single set of games, is plural. So 'bonae litterae,' Att. 6. 1, 9.

l. 30. **Comperendinam**, 'reach the "comperendinatio."' When the prosecutor and defendant had each set his case before the 'iudices,' it was the practice in capital and other serious cases, including those of 'repetundae,' to adjourn the further hearing for two days, 'rem comperendinare.' The prosecutor then had the right of reply to the defendant's case, and the defendant might answer him again. This constituted the Actio secunda, and it is at this stage that the later speeches against Verres would have been delivered, had not the flight of Verres rendered them unnecessary.

c. 12. *The cause might have been too simple to do him much credit, had there not been arrayed on the other side the overbearing arrogance of Hortensius, and all the apparatus of bribery. This system was so odious to him, that he was determined during his aedileship to employ all his energies in securing its extinction.*

P. 16, l. 2. Recepissem, 'had undertaken:' 'recipio' in this sense always implying that the undertaking was at the request of some one else. Cp. Div. in Caec. 8, 26: 'Ego in hoc iudicio mihi Siculorum causam receptam, populi Romani susceptam esse arbitror.' In l. 4 he uses the more general word 'suscepto.'

l. 9. *Ista tua intolerabilis potentia.* So Cicero says, *Div. ad Caec.* 7. 24: that if the 'iudicia' were transferred to a more upright and more experienced body, Hortensius would no longer be able to bribe them, and that he saw in this case 'sese in iudiciis diutius *dominari non posse.*' The Scholiast says that a special allusion is made to the trial of Terentius Varro, the cousin of Hortensius, for extortion in Asia.

l. 10. *Cupiditas*, 'partiality;,' a sense not unfrequently attaching both to the substantive and adjective in Cicero: cp. *pro Planc.* 17. 43: '*Voluntas . . . quam Alsius sine ulla cupiditatis suspitione prae se fert;*' *pro Caec.* 3. 8: '*Iudex cupidior quam sapientem iudicem esse aequum est.*'

l. 11. *Dominatio*, the regular word for 'tyranny,' and so no less odious in Roman ears than 'regnum.'

l. 19. *Ordo*, sc. *senatorius*.

Improbitate . . . infamia, 'through the unscrupulous audacity of some few individuals is crushed and overwhelmed by the disgrace of the judicial decisions.'

l. 21. *Odiosum*, perhaps 'courting their hatred,' which his assiduity could not fail to secure. The word nowhere appears to be used in an active sense, as though it were 'full of hatred towards them.'

l. 22. *Quod agam in magistratu*, 'as the business of my aedileship.'

l. 23. *Ex eo loco*, sc. in the senate, to which his aedileship gave him entrance in the ensuing January.

l. 25. *Munus*, 'exhibition;,' with a punning allusion to the games which the curule aedile was called upon to provide.

l. 27. *Deponere*, &c. These are all technical words in the science of bribery. *Interpretes* are the agents by whom the negotiations are carried on; *sequestres* the responsible persons with whom the promised money is deposited, '*deponitur*,' till duly earned by the person bribed; *recipere* is used of the principal who undertakes to pay the money, and is slightly stronger than *polliceri*, with which it is elsewhere joined, cp. *Att.* 13. 1, 2: '*De aestate polliceris vel potius recipis.*' *Accipere* is probably merely the final act of receiving; introduced, somewhat out of place, for the sake of the jingle with '*recipere.*'

c. 13. *The justice of his cause would more than outweigh any consular influence, when he came to point out in detail the corruption of the senatorial iudices, as contrasted with the integrity of the knights.*

l. 32. *Cum summo imperio et potestate*, 'with full military and civil power.' The former, which is described elsewhere by Cicero, *Phil.* 5. 6, 45, as the power '*sine quo res militaris administrari, teneri exercitus, bellum geri non potest*,' could not be exercised by any magistrate except a dictator within the city walls.

P. 17, l. 5. *Agentur*, 'will be actually represented.'

l. 5. *Inter decem annos*; since by the *Lex Cornelia*, in B.C. 81, Sulla transferred the 'iudicium' from the equites to the senate.

l. 9. *Prope quinquaginta*. As a matter of fact it was only forty-one, the equites having gained the 'iudicium' by the *Lex Sempronia* of C. Gracchus, in B.C. 123: so that Cicero exaggerates the tenure of the equites, while he reduces that of the senate from eleven years to ten.

l. 10. *Equite Romano iudicante*, 'while the Roman knights retained the *iudicium*:' *eques* being apparently used for equites, as it often is in the sense of cavalry. Or it might be, 'in no judge from the ranks of the knights while exercising his judicial functions.'

l. 13. *Sublata . . . potestate*. Partly by the restrictions on the tribunicial power (cp. 16, 46), but mainly by Sulla's extension of the *quaestiones perpetuae*, or special courts of justice to the trial of criminal cases, whereby the judicial power previously possessed by the popular assemblies was considerably curtailed. See Merivale, *Fall of Rom. Rep.* p. 142. There appears to have been no appeal to the people from the decisions of these 'quaestiones perpetuae.'

l. 14. *Minoris HS tricicens*, 'for less than 3,000,000 sesterces,' or about £27,000. See on p. 12, l. 20. 'Sestertium' was originally a genitive plural from *sestertius*, depending on 'centena millia' understood. The Romans had no direct mode of counting above 100,000, so that for larger sums they used multiples of this, expressed by its combination with the numeral adverbs. In course of time the constant 'centena millia' was omitted, and the genitive plural came to be looked on as the main substantive, declined, and having its case determined by its position in the sentence. Here *HS tricicens*, which would strictly be for 'sestertium (=sestertiorum) centenis millibus tricicens,' would be first abbreviated into 'sestertium tricicens,' and then changed, by a mistake in the grammar of the condensed expression, into 'sestertio tricicens.' Calidius, who was condemned in B.C. 77, for extortion in his province in Spain, seems to have meant that it was a mean thing in the jury to condemn a man of his position for so paltry a bribe as they had received. Zumpt takes *HS xxx* to mean 'sestertiis triginta,' 'less than thirty sesterces apiece.'

l. 17. *Lis aestimata sit, &c.*, 'the penalty inflicted on him was assessed on the understanding that he had been bribed:' i.e. apparently, that the money received as a bribe was included in the extortionate gains which he was required to disgorge. P. Septimius Scaevola was condemned for extortion in B.C. 72, and in further comment on his case in *pro Cluent.* 42, 115, Cicero again implies that he had been treated with additional severity because he was known to have been bribed in the trial of Oppianicus B.C. 74.

l. 19. *C. Herennio, &c.* Of the circumstances of Herennius' con-

demnation nothing further is known. As C. Popilius and M. Atilius Balbus and the senators referred to lower down were on the jury that condemned Oppianicus, it is reasonable to suppose that Herennius belonged to the same bench.

l. 20. *Peculatus*, 'embezzlement of public money.'

De maiestate, or 'maiestatis' (cp. pro Cluent. 39, 97: 'Balbus est condemnatus; adde maiestatis'), 'of treason.' The crime of 'maiestas' is defined by Cicero, de Invent. 2. 17, 53, as 'De dignitate aut amplitudine aut potestate populi, aut eorum quibus populus potestatem dedit, derogare.'

l. 23. *Sortiente*, sc. 'iudices:' i.e. appointing by lot the jurymen who were to try the special case. This would be part of his regular functions as city praetor.

Exirent in eum reum, 'gave their vote against a defendant whom they condemned without hearing the evidence.' This accusation is brought against C. Fidiculanus Falcula in pro Caecin. 10, 29; pro Cluent. 41, 113; and though in the latter passage Cicero acknowledges that he was acquitted of the charge, yet he says that this does not prove his innocence. It would appear that Falcula, having been among those who were chosen by lot to supply chance vacancies on the jury (*subsortiti*), had only taken his place on the bench too late to hear the evidence; and moreover that his *subsortitio* was in itself irregular, as he did not belong to the panel (*decuria*) which was appointed to try the case.

l. 25. *Senator*. C. Staienus; see pro Cluent. 36, 100. Staienus appears not only to have been individually bribed by Oppianicus, but to have been his agent for bribing the rest of the jury.

l. 29. *Hoc factum esse . . . ut*. For this periphrastic use of *facio*, to add weight and length to an apodosis, see Madv. § 481 b.

l. 30. *Discoloribus signis*, 'marked with wax of different colours;' so that each man's vote might be traced home to him, and it might be seen whether he had earned his bribe.

c. 14. *So flagrant was the venality of the law courts at the present day that Verres openly avowed that his last year's plunder had been accumulated for the express purpose of bribing the jury: and it seemed probable that the provinces would soon petition against any more trials for extortion, as only leading to their own more thorough spoliation.*

P. 18, l. 4. *Cuius fiducia*, 'in reliance upon whom.' The allusion is to Hortensius.

l. 6. *Secum praeclare agi*, 'that he should say it was not a bad stroke of business:' lit. 'that matters were being admirably transacted by himself with himself,' he being both principal and agent in the transaction. Cp. Act. 2. 3. 50, 119: 'Intellegit secum esse actum pessime.'

l. 6. **Distributum habere**, practically = 'distribuisse.' For the auxiliary construction, cp. Catull. 17. 2, 'et salire paratum habes.'

l. 10. **Illud dicere**, 'to make the remark' which he goes on afterwards to quote, viz. 'me arbitrari fore,' &c.

l. 11. **Quod . . . cum commemorassem**, 'on my quotation of which before the praetor.'

l. 18. **Advocatis**, 'his supporters,' whether as 'iurisconsulti,' to instruct the pleaders on points of law, or simply as men of influence, aiding him by their countenance in court. The 'advocates,' in the modern sense of the word, would be included under 'patroni.'

l. 21. **Nocentissimi**, 'of so deadly a despoiler.'

l. 22. **Existimationem**, 'opinion herein expressed; 'existimare' being commonly 'to express an opinion.'

l. 26. **Maiore . . . odio**. This would more commonly be 'maiore in odio' (cp. de Imp. Cn. Pomp. 22, 65), but the preposition seems here omitted for the sake of distinction from 'in avaritia,' &c. below.

c. 15. *It was the hopelessness of obtaining justice under the present arrangements, which had made the people so anxious to have the tribunical power reestablished, as was clearly shown when Cn. Pompeius proposed its restoration.*

l. 30. **Cui loco**, 'for which situation.' Mr. Long takes 'loco' in a more technical sense, 'for which part of the subject of discourse.'

l. 33. **Nulla in iudiciis, &c.**, 'as our tribunals are constituted, they are pronounced to be wanting in severity, in regard for religious obligations, in everything, in short, which the word tribunal implies.'

P. 19, l. 3. **Flagramus**, 'we are already being consumed in the flames of a ruinous and lasting infamy.'

l. 5. **Requisivit**. The restoration of the tribunical power was attempted by M. Aemilius Lepidus, in B.C. 78, immediately after Sulla's death; and was effected by Cn. Pompeius, at the beginning of his consulship in B.C. 70.

Poscebat, the indicative, because it merely marks the moment of the demand.

l. 7. **Q. Catulum**. This Catulus was the colleague of Lepidus in the consulship, B.C. 78. Throughout this period he was one of the most eminent and most upright leaders of the aristocratic party.

l. 9. **Referente**, 'bringing forward a motion.' It would be his further duty as consul 'sententias rogare,' 'to put the question' to the senators individually.

l. 10. **Patres conscriptos**, 'the senators,' properly 'patres et conscriptos,' the original senators, and those who were enrolled to supply vacancies; the term dating from the time of the expulsion of the kings. See Liv. 1. 2.

l. 12. **Existimationi**, 'the requirements of the Roman people.'

l. 15. **Contionem**. See on p. 5, l. 10.

Ad urbem, 'before the city,' into which he could not enter without laying down his *imperium*, and thereby forfeiting his claim to a triumph for his victory over Sertorius.

l. 17. **In eo**, 'in his honour.' '**Strepitus**' would appear to be a hum of approbation, as opposed to the loud acclamations, '**maximus clamor**,' with which his subsequent declaration was received.

l. 21. **Tum vero** commonly introduces a climax; the fully developed phenomenon to which previous events have been gradually working up. In this use it is especially a favourite expression with Virgil.

c. 16. *The present trial would be accepted as a test case, to prove whether there is any possibility of an honest verdict under the existing system. The senate could not possibly furnish a better jury, the prisoner was at once the richest and most infamous of criminals. It should be Cicero's own part so to marshal the evidence as to leave no loophole for acquitting him.*

l. 23. **In speculis sunt**, 'are on the watch.' Cp. pro Mur. 37, 79: 'Ab illo in speculis atque in insidiis relictis in capite atque in cervicibus nostris restiterunt.'

l. 26. **Post legem tribuniciam**. This was the law of Cn. Pompeius, B.C. 70, restoring to the tribunes the power of which they had been deprived by Sulla. Cp. c. 13, 38.

Vel tenuissimum, 'of very slender resources indeed,' and therefore unable to bribe effectually. Hence though his condemnation ('quod') cannot be found fault with, yet it calls for no extravagant praise, since integrity is not a matter for boasting where there is no temptation. Who the senator in question was is not known. Asconius suggests Cn. Cornelius Dolabella, who was convicted of extortion in his province of Cilicia; but this must have been at an earlier date, and Dolabella could not have been called a poor man.

P. 20, l. 3. **Residere**, 'remain behind,' after the other possible explanations have been shown to be inadmissible. These were the influence of friends such as Hortensius, his relationship with the Metelli (cp. c. 8, 21), general good character, or even extenuation of the enormity of his guilt.

l. 5. **Sublevata esse**, 'to be softened down.' So 'causas offensionum elevare,' Lael. 24, 88.

l. 8. **Conetur contendere**, &c., 'will even endeavour to prevail on you as a matter of favour.' Cp. pro Quinct. 24, 77: 'Cum a me peteret et summe contenderet ut propinquum suum defenderem.'

l. 10. *Investigare et consequi*, 'to track out and overreach all their schemes.'

l. 13. *Conceptam huic ordini*, 'in which this order has involved itself,' the dative marking not the agent, but the body to which the injury was done. The whole expression is equivalent to 'ab hoc ordine in se conceptam.'

l. 15. *Post haec constituta iudicia*, 'since the establishment of our present jury system:—i.e. since the changes introduced by Sulla. For the construction see *Madv.* § 426.

l. 16. *Consilium*, 'body of jurymen.'

Si quid erit offensum, 'if any scandal shall occur.'

c. 17. *He therefore trusted that on the present occasion no scandal would arise, to call out his zeal in punishing the offence, and he earnestly entreated the praetor, M. Glabrio, to use all his influence, personal and hereditary, in order to secure an upright verdict.*

l. 21. *Opto*, 'I pray.' Cp. *Cat.* 2. 7, 15: 'Numquam ego a dis immortalibus optabo, . . . ut . . . audiatis.'

l. 25. *Vim, &c.* 'the energy and perseverance required for bringing their iniquity to justice.'

l. 27. *Laboribus . . . meis*, 'at the cost of any toil or danger or personal animosity which I may incur.'

P. 21, l. 1. *Qui sis*, 'consider your character;' not 'who you are,' which would rather be '*quis sis*.' The words are not in the MSS.

l. 2. *Paternae legis*. The *Lex Acilia de repetundis*, passed probably in B.C. 101, enacted that there should be neither *ampliatio* nor *comperendinatio*. See on p. 16, l. 30.

l. 3. *Fac . . . veniat in mentem*, 'call to mind your father's law.' The genitive is used after this impersonal expression from the analogy of its usage with personal verbs of remembering and forgetting, and is not due to any ellipse. See *Madv.* § 291, *Obs.* 3.

l. 5. *Auctoritates, &c.*, 'precedents, of such force as not to allow you to forget, &c.,' 'quae' marking the nature of the precedents, and so taking the subjunctive.

l. 10. *Avi Scaevolae*. Glabrio's mother was Mucia, the daughter of P. Mucius Scaevola, the famous jurist, consul B.C. 133.

Quae . . . comparantur. 'The plots which are being laid against the reputation of yourself and the members of the jury.'

l. 11. *Soceri Scauri*. Glabrio married Aemilia, daughter of M. Aemilius Scaurus, consul B.C. 115 and 107; and though the marriage had been dissolved by Sulla that she might marry Pompey, yet, as a son of the marriage survived, his affinity with the father of his divorced wife was held by Roman usage to remain in force.

l. 12. *Ut ne*. See on p. 13, l. 9.

Praetore and **consilio** are ablatives absolute; 'when the praetor is so upright and honourable, and the jury is carefully chosen.'

l. 14. **Nocenti reo**, a *dativus incommodi*, 'as bearing on a guilty defendant.' It is noticeable that Cicero conveniently assumes the guilt of his opponent for the purpose of his argument.

c. 18. *To prevent delay Cicero would set out his case, not in a long preliminary speech, but by the immediate production of his witnesses, commenting on their evidence as it was laid before the jury. For the present he would conclude with a formal statement of the indictment against Verres.*

l. 19. **Ut, quos. &c.** Hortensius had invited the Sicilians (see c. 9) to his house, with the obvious intention of bribing them. So long as he was a private individual, it was open to the Sicilians to act as they did, and refuse to go: but Cicero implies that if the trial were put off till the following year, then Hortensius would be able to avail himself of his official position, and as consul to send lictors who would force them to obey his summons.

l. 20. **Novo exemplo.** Bribery was usually practised in detail, Hortensius had wished to buy over the Sicilians as a body.

l. 23. **Eorum imperio**, 'by the authority of the consuls.'

l. 24. **Deplorandi iuris sui**, 'of lamenting the rights which they had lost.'

l. 26. **Tum . . . denique**, 'that our answer should only then be given.'

l. 30. **Comitiorum.** See on p. 12, l. 9.

Ludorum. See on p. 14, ll. 30 foll.

Censendi, 'for registration before the censors;' the word **censeo** expressing not only the action of the censors, in performing the act of registration, but also that of the citizen, in giving the necessary information. Cp. pro Flacc. 32, 80: 'In qua tribu denique ista praedia censuisti?'

l. 31. **Offensionis periculum vestrum**, 'the risk that you run of giving offence,' by delivering an honest verdict.

P. 22, l. 1. **Faciam hoc . . . ut, &c.** **Facio** is frequently thus followed by an explanatory clause, setting out more precisely the meaning of an object already expressed by a pronoun.

Ab eis, according to an old commentator, by the brothers L. and M. Lucullus, who when quite young prosecuted the augur Servilius (otherwise unknown), apparently in revenge for his having caused the death of their father.

l. 4. **Totum**, 'in its general outline.' It would appear that Cicero looked on the whole of the oration, as we possess it, in the light of an introduction, the proof of his case resting on the testimony of the witnesses, accompanied by a running commentary on their evidence, 'argumenta atque oratio,' the whole ending with a sort of summing up,

to show the bearing of the evidence on the indictment, 'ratione ad crimen incommensabilis.' It seems to be in this nature of economic and argument, giving opportunity to Verres and his counsel of replying to the several points as they seemed, that Cicero's method was to differ both from that ordinarily employed, and from that of the Luculli, who began by bringing forward all their witnesses.

l. 11. Altera actio, in the second Actio, the speeches of which were never delivered.

l. 16. Tum praeterea, 'in particular,' this being the actual charge in the indictment, which was merely aggravated by his general misdeeds.

l. 17. Quadringentis sestertium, forty million sesterces, or about £150,000.

l. 18. Auctoritatis, 'official documents.'

l. 20. Nostro consilio, 'to the utmost of my desire.'

THE ORATION CONCERNING THE COMMAND OF GNAEUS POMPEIUS.

c. 1. Cicero had *Athenae* been presented partly by his wealth, partly by his business as an advocate, from addressing the people in their public assembly. It was fortunate for him that the subject of his first speech from the *Buira* was the death of Gnaeus Pompeius, a theme which could not fail to inspire any orator with eloquence.

Page 80, line 1. Frequens conspectus vester, 'to see you assembled in such crowds.'

l. 2. His locus, the rostra in the Forum, the ordinary place for addressing assemblies of the people; so called from the slope banks with which it was adorned: cp. s. 13, 14; and see 116, s. 14.

Ad agendum, 'for submitting questions to the people,' (*agere cum populo*) being the technical term for the action of a magistrate in laying matters officially before the people for decision. Cicero was at present 'praetor urbanus.'

l. 5. Ornatisissimus, 'most distinguished.'

l. 4. Optimo cuique maximo, 'to every one more fully in proportion to his excellence.' See on *Verri* s. 20. It was usual even to present individuals to address the people from the 'rostra,' provided that they got the sanction of some magistrate for so doing.

l. 5. Rationes, 'my plan of life.'

Ab inuenta aetate, 'from the time that I entered on manhood,' not, 'from my birth.' His first speech, pro *F. Quinctio*, was delivered at p. 81, at the age of 25.

l. 3. *Huius auctoritatem* *hæc*, 'a place of such high dignity [the English illness just reversing the sense of the Latin.]

l. 4. *Amicorum temporibus*, 'in my friends in their time of need.' For this use of 'tempus' *op. Acad. S. 12.*

l. 11. *Vestram salutem*, 'your public business,' it being an *amicus curiæ* that they were now assembled in the Forum.

l. 14. *Propter illationem ventisurum*. The assembly for the election of prætor were twice interrupted by tumults composed with the 144 *tribuni* for punishing *Proper* with the consensu against the prætor, and with the *Lex Voconia* for withdrawing the vote in the election. Though the proceedings were in these directions interrupted, yet they had gone so far that on both of them, as well as on the third attempt, when a valid election was held, *Cicero* was not only head of the poll, but elected by all the votes, so that he was not returned. This did not however give him the right to the præture, because the highest government, as the president of the council, prætorial vote should have been decided by law.

l. 15. *Quid alibi proætheroticè*, 'what would you propose to others for alleviation.'

l. 17. *Humilitate mandantibus*, 'by exhorting me with my accustomed office.'

l. 20. *Vigilanti*, 'with all the greatest haste.'

Ex ferocia *verè*, 'from greater of the law.'

l. 21. *Si . . . potero*, 'if I have the ability,' generally; and 'if I shall be able,' on this particular occasion, which would commonly be 'si . . . potero.'

l. 22. *Et nec, et*, 'doubtless besides,' implied in 'humilitè.'

P. 31, l. 5. *Ex hoc bene explians* 'implied,' his previous experience having been abundant in the law courts.

l. 4. *Possit*. The subjunctive marks that the impossibility follows from the very nature of the subject, so that the relative explains 'talis.' 'Of such a kind that no one could be at a loss for words.'

l. 5. *Virtute*, 'generosity.'

on 2. 3. The occasion was one of great emergency. They were invited to a meeting not only *Mithridatè* and *Pyrrhus*, in order to advise the Senate of the Roman people, the safety of their allies, and a vast amount of public and private property was at stake. In the former war *Sulla* and *Marius* had both gained triumphs, but *Mithridatè* was still possessed of formidable power, and was ascending his empire to the peninsula of *Italy*. In the present war *L. Lucullus* had gained great distinction, but in decisive victory: his resources was ill prepared for his campaign, and all the hope of *Rome* depended on the collection of *Proper* in his place.

1. 9. *Bellum*. See the Introduction to this Oration.

1. 10. *Vectigalibus* here and in §§ 5 and 7 is probably masculine, 'your tributaries.' Cp. de Prov. Cons. 5, 10: 'Vectigales multos ac stipendiarios liberavit.'

1. 11. *Relictus*, viz. Mithridates, 'quem L. Murena repressum magna ex parte non oppressum reliquit.' (Mur. 15, 32.) Cp. c. 3, 8: 'Quod reliquerunt.'

1. 12. *Arbitrantur*, the plural verb, as though *qui* had preceded, although the plural subject is divided into two contrasted singulars, is to be noticed. See Madv. § 212, Obs. 1.

Asiam; i.e. the Roman province of Asia, consisting of the western portions of Asia Minor.

1. 13. *Equitibus Romanis*. The 'equites' at Rome were the chief 'publicani,' or farmers of the public revenue.

1. 14. *Quorum magnae res, &c.*, 'who have at stake a large capital invested in the collection of your revenues.'

1. 15. *Pro necessitudine*, Cicero being himself of a knightly family.

1. 17. *Nunc vestra*: by the will of Nicomedes III, who in B.C. 74 bequeathed his kingdom to the Roman people.

1. 18. *Viros exustos esse*. This is the substance of the report of the knights; hence the accusative with the infinitive, as dependent on 'detulerunt.'

1. 19. *Ariobarzanis*, the king of Cappadocia.

1. 21. *Huic qui successerit*, M'. Acilius Glabrio, the consul of the preceding year, to whom the province of Cilicia had fallen as proconsul, but who proved utterly incompetent to cope with Mithridates.

1. 23. *Civibus*, the citizens in Asia, who would be included under *socii*, as belonging to the provincial cities in alliance with Rome. Had the citizens at home been meant, it would have been derogatory to their dignity to place them after the *socii*.

1. 26. *Causa*, 'the nature of the case: 'quid agendum sit,' 'what course must be adopted in discussing it.' This discussion he divides under three heads; 1. of the character of the war; 2. of its importance; 3. of the selection of a general.

1. 30. *Persequendi*, 'of carrying it out.'

1. 31. *In quo agitur*, 'for in the war there is at stake.' 'Agitur,' as expressing simply the fact, and not containing the explanation of 'eiusmodi,' is in the indicative. The antecedent of 'quo' is 'bellum,' no longer 'genus' as in the case of 'quod.'

1. 32. *Cum . . . tum*, commonly mark the working up to a climax, even when this is not more definitely expressed, as here, by the transition from the positive to the superlative.

P. 32, l. 2. *Certissima . . . vectigalia*. See below, c. 6, 14.

l. 4. **A vobis.** This construction, instead of the dative of the agent with the gerundive, showing that it was treated as practically a passive form, is common when there is already a dative depending on the gerundive in another relation. Sometimes, though rarely, it is found without such necessity of avoiding ambiguity, as in c. 12, 34: 'Haec . . . a me in dicendo praetereunda non sunt.'

c. 3. l. 7. **Macula**, the disgrace arising from the unavenged massacre of Roman citizens in Asia, by order of Mithridates, in the winter of B.C. 88-87, when, according to the lowest estimate, 80,000 persons were murdered in one day.

l. 8. **Bello superiore**, that in which Sulla defeated Mithridates, B.C. 88-84.

l. 10. **Tota in Asia**, rather than 'totam per Asiam,' to harmonize with 'tot in civitatibus.'

l. 11. **Una significatione litterarum**, 'by the intimation of a single letter.'

l. 16. **In vestris vectigalibus** might be, as Mr. Long thinks, 'in the midst of your revenues,' the revenues being put for the places from which they were derived; but it is more probably masculine, agreeing with 'agris' or 'populis.' See on p. 30, l. 10.

l. 18. **Insignia**, such as the triumphs which he goes on to mention. Their triumphs were however very unsubstantial, so long as Mithridates remained uncrushed.

l. 19. **L. Sulla** triumphed over Mithridates on his return to Italy in B.C. 83. The triumph of L. Murena, in B.C. 81, was one of the most discreditable in the annals of Rome, inasmuch as he began his contest with treachery, and ended it with defeat.

l. 22. **Quod egerunt . . . quod reliquerunt.** 'Quod' in each case may be the direct object of its verb, the antecedents being easily understood in the leading clauses. 'For what they did we must praise them. for what they left undone (cp. 2, 4 relictus) we must forgive them.' But it would seem more probable that Halm and Benecke are right in taking 'quod' as the conjunction, 'egerunt' being used absolutely: 'that they were active, we must praise them; that they did not finish their task, we must forgive them.' This absolute use of 'ago' is common enough: 'relinquo' which by itself must necessarily have had an object expressed, is used without one for the sake of symmetry. Gossrau compares Virg. Aen. 2. 180:—

'Et nunc, quod patrias vento petiere Mycenas,
Arma deosque parant comites.'

c. 4. *The interval between the two wars had been spent by Mithridates in preparations for renewing the contest. He had endeavoured to make common cause with Sertorius, but that source of danger had been re-*

moved by Pompey; and the king's own forces had been nobly, and for a time successfully, resisted by Lucullus.

l. 25. *Reliquum tempus*, 'the time which was left to him,' i.e. after the recall of Murena.

Ad oblivionem, &c., 'to blot out the recollection of the old war.'

l. 28. *Potuisset*. The tense here is remarkable, and probably merely an attraction into that of the verb on which it depends. The more natural tense would be the imperfect, as its action would be simultaneous with that of *comparasset*. Halm accordingly reads 'posset' from a conjecture of Fleckeisen's.

l. 29. *Bosporanis*, the inhabitants of the Cimmerian Bosphorus, the modern Crimea.

l. 30. *Simularet*. The war against the Bosporani was real enough, the pretence was that this war was the cause of all his preparations: 'that it was against the Bosporani that he was levying war;' to the exclusion, that is, of other nations.

In *Hispaniam*, when the war with Sertorius, B.C. 79-72, was at its height.

l. 33. *Binis copiis*. The distributive numeral is used because 'copiae,' a single army, is plural. See *Madv. § 76 c.*

P. 33, l. 1. Ancipiti, 'a divided contest.'

l. 3. *Firmamenti ac roboris*. 'support and vigour:' 'firmamentum' referring to the resources on which it could depend, 'robur' to the power existing in those who carried it on.

l. 4. *Cn. Pompeii*. Pompey was associated with Q. Metellus Pius in the command against Sertorius in the beginning of B.C. 76, but it was not till B.C. 72 that the war was brought to a close, and then the issue would probably have been longer doubtful, had not Sertorius been murdered. The praise therefore here bestowed on Pompey is exaggerated.

l. 7. *Quae nuper acciderunt*. The recent disasters, leading to the devastation of Cappadocia by Mithridates, and the oppression of the Roman allies, were really due, not to any fault of Lucullus, but to the way in which his efforts were hampered by the jealousy of the demagogues at home.

l. 9. *Alio loco*. See below, c. 8, 20.

l. 12. *Exorsus*, 'the first division,' as opposed to the preliminary statement, or 'exordium.'

l. 13. *Suscipiendum putetis*, 'you would entertain if the choice were given you;' 'putetis' not being a mere repetition of the notion contained in 'videte,' but showing that the consideration called for in 'videte' is to result, not in action, but in the formation of an opinion. 'Suscipiendum sit' would be 'what kind of spirit you will feel yourselves, as a matter of fact, bound to entertain,' like 'quo animo esse debetis' below.

c. 5. *The outrages of Mithridates were such as Roman honour could not patiently endure; and the perils of the allies could only be removed by Pompey's appointment to supreme command.*

l. 14. **Naviculariis**, 'shipowners;' not the captains, but the merchant adventurers, who either owned or chartered the vessels for mercantile purposes.

l. 15. **Tot milibus**. See on p. 32, l. 7.

l. 17. **Appellati superbius**. This was at the instigation of Critolaus, who was elected strategus of the Achaean league in B.C. 147, and used all his influence, both in Corinth and in other Greek towns, to excite the populace against Rome. Early in B.C. 146 four Roman envoys, who attended a meeting of the Achaeans, were driven with contumely from the assembly, and, according to some accounts, were even beaten. The immediate result was war, ending in the same year in the capture of Corinth by L. Mummius and the formation of the Roman province of Achaia.

l. 18. **Lumen**, 'the cynosure.' The metaphor introduced in 'lumen' being continued in the verb, 'exstinctum' agrees in gender with 'lumen' instead of with 'Corinthum.' For the expression Halm compares a line quoted by Diodorus, *Κόρινθος ἄστρον οὐκ ἄσημον Ἑλλάδος*.

l. 20. **Legatum**. M'. Aquilius, who had been consul in B.C. 101, having been taken prisoner in the war with Mithridates, in which he held a command as consular legatus, was most cruelly treated by the king, who eventually killed him by pouring molten gold down his throat.

l. 22. **Libertatem imminutam**. This obviously still refers to the treatment of the envoys at Corinth, though it is difficult to see how the question of 'libertas' comes in, further than that any interference with their rights as ambassadors (*ius legationis*), would be in itself an infringement of the privileges which every free man might claim.

l. 25. **Relinquetis**, sc. 'inultum.'

l. 30. **Ariobarzanes** was driven from his kingdom of Cappadocia by Mithridates for the fourth time shortly before this speech was delivered. He was again restored by Pompey.

l. 33. **Cuncta Asia** is probably the ablative, like '*toto mari*' in c. 11, 31, the ablative marking extension over the area. See *Madv.* § 273 c. Mr. Long treats it as the nominative, but this would be awkwardly joined to *civitates* without a conjunction.

P. 34, l. 2. **Certum**, any special general.

l. 3. **Alium**, viz. M'. Acilius Glabrio, the consul of the preceding year.

l. 4. **Periculo**, from the jealousy of the other generals, and especially of Glabrio.

l. 5. **Summa . . . omnia**, 'the highest qualifications of every kind.' Cp. c. 13, 36; 17, 51.

l. 6. **Propter**, 'in the neighbourhood;' Pompey being still in Cilicia, in which country and in Pamphylia he had spent the winter of B.C. 67-66, after exterminating the Cilician pirates.

Quo, &c., 'on which account they even feel the want of him more sorely;' i.e. the feeling that he might so easily come makes his absence seem the harder to bear.

l. 8. **Impetus . . . repressos esse**. That the power of Mithridates was already waning is certain; but in attributing this to the influence of Pompey, Cicero identifies himself with the general injustice towards Lucullus.

l. 12. **Ceteros**, 'in our other governors we send men of such a kind, &c.;' nearly equal to 'as a general rule.'

l. 14. **Adventus**, 'their arrival, so often as they come.' The singular would be used of a single entry.

l. 16. **Temperantia, &c.** To the frugality and upright administration of Pompey throughout his life the ancient writers bear sufficiently unanimous testimony. His haughtiness, coldness, and vanity, however, are scarcely consistent with the 'gentleness' and 'refinement' which Cicero here attributes to him.

c. 6. The revenues of Asia were too important to be lightly sacrificed: and they were endangered, not only by any success which Mithridates might eventually gain, but by the panic which the prospect of his invasion must inevitably cause.

l. 19. **Propter socios**. The war with Antiochus the Great, B.C. 192-188, had its origin in the aggressions of Antiochus upon the kings of Pergamus and the Rhodians and other Roman allies among the Asiatic Greeks. Philip of Macedon brought on himself the hostility of Rome nominally by assistance given to some Aearnanians in attacking Athens in B.C. 201; though they were doubtless glad of an excuse for war when they saw Philip extending his power over Asiatic Greece, and in particular laying hands on Egypt and Rhodes. The Aetolians sided with Antiochus during his war with Rome, and especially in B.C. 192 sent marauding parties into the territory of the Achaean League, at that time the firm allies of Rome. With regard to the Carthaginians, Cicero's remark might refer to any one of the Punic wars, the first being occasioned by the aid which the Romans gave to the Mamertines in Messana, B.C. 264; the second by the siege of Saguntum, B.C. 219; and the third by the contests between Carthage and Masinissa, B.C. 150.

l. 24. **Agatur**, 'the matter at stake is nothing less than your most important revenues.'

l. 25. **Tanta sunt**, 'are so great, and no more;' scarcely sufficient in themselves for the protection of the provinces from which they

proceed. Cp. Cat. Mai. II, 36: 'Tantum cibi et potionis adhibendum, ut reficiantur vires, non opprimantur.'

l. 27. **Ubertate agrorum, &c.** The cornlands and orchards would bring in revenue to the imperial exchequer in the form of tithes ('decumae'), the pasture land mainly in the form of head money, paid for the right of pasturing cattle ('scriptura'), and the exports in the customs' dues payable for them.

l. 28. **Exportantur**, the indicative mood, because the relative clause merely specifies more exactly the idea concerning which the statement is made, so that with the antecedent it is equivalent to a simple noun. 'Eae res quae exportantur' merely means 'exports,' generally. The subjunctive would bring in the question of what the exports under consideration were. See Madv. 362 a.

l. 30. **Si . . . voltis**, 'if you desire, as I presume you do.'

Belli utilitatem, &c. 'All that is useful in war or honourable in peace.'

l. 32. **Cum venit**, 'only when calamity actually comes.'

P. 35, l. 2. **Si . . . facta est**, 'if no inroad has been actually made,' the indicative bringing the supposed case vividly before the mind, as though the facts were actually present.

l. 3. **Pecuaría**, sc. res. 'The cattle are left untended,' and so perish.

l. 4. **Ex portu**, in the customs' dues, 'portoria.'

l. 5. **Scriptura**. See above on l. 27. The name appears to be derived from the entry made of the number of cattle pastured on the public land in the books of the 'publicani.'

l. 8. **Eos qui . . . pensitant**. The relative clause again merely defines its antecedent (see on l. 28), and so its verb is in the indicative, notwithstanding the *oratio obliqua*.

l. 9. **Exercent atque exigunt**, 'levy and exact it,' the two verbs marking a distinction between those who actually collected the taxes ('exactores'), and the equites who farmed them.

l. 12. **In saltibus**, 'in the woodland pastures,' the two notions of wood and suitability for harbouring cattle being apparently of necessity associated in 'saltus.'

l. 13. **Custodiis**, 'the coast-guard stations.'

l. 16. **Liberatos** differs from 'liberos,' as implying that active measures were needed on the part of Rome for securing the tranquillity of the subject populations.

c. 7. *They could not afford to overlook the ruin which would fall upon the farmers of the public revenue, and on others who had property in Asia. This ruin would bring with it great damage to the public revenue, and a general diminution of credit, involving a financial crisis at home as well as in Asia.*

l. 17. **Ac ne illud quidem**, 'nor is this point either to be passed by.'

1. 18. **Essem . . . dicturus**, 'when I set myself to speak.'

1. 21. **Et publicani**, 'the publicani to begin with.' This is commonly explained as though 'et' pointed forward to a second 'et,' introducing the next class of persons interested, and as though Cicero, having made a longer sentence than he intended about the 'publicani,' had carelessly changed his word for introducing the next clause to 'deinde,' as though no 'et' had preceded. But 'nam et' is found in this way so often in Cicero, without any coordinate 'et,' that this explanation is unsatisfactory; and the probability is that the 'et' is adverbial, throwing an emphasis on some single word that follows. Here it would be, 'For to take the case of the "publicani," they being most honourable men of high position, have invested all their interest in life,' &c. See Hand's *Tursellinus*, ii. 508.

1. 23. **Ipsorum per se**, even if you do not consider the men of other ranks.

1. 24. **Nervos**. Cp. *Phil.* 5. 2, 5: 'Nervos belli, pecuniam infinitam.'

Si . . . duximus. Though he puts this in the form of a hypothesis, yet he assumes that it is an unquestioned fact, and so uses the perfect indicative. 'If we have always held that the revenues are the sinews of the state.'

1. 25. **Firmamentum**. Cp. *Planc.* 9, 23: 'Flos enim equitum Romanorum, ornamentum civitatis, firmamentum reipublicae publicanorum ordine continetur.' Here there is a change of metaphor involved in the transition from 'the sinews of the state' to 'the pillar that supports all other ranks.'

1. 27. **Ex ceteris ordinibus**, not necessarily 'from each of the other ranks;' but 'from the other ranks' taken as a whole, in contradistinction to the 'publicani.'

Partim ipsi . . . partim eorum. 'Partim' is here used in two constructions, first adverbially, like our 'partly,' and secondly substantively, with a partitive genitive depending on it; 'while a portion of them.' Either construction is common enough, but their combination is irregular, and perhaps unparalleled.

Ipsi, 'in person.'

1. 29. **Conlocatas habent**, 'have large sums of money invested;' and so not equal to the simple perfect, 'have invested large sums of money.'

1. 30. **Magnum numerum, &c.**, 'that large body of citizens;' literally, 'the large number that consists of those citizens,' 'civium' not being partitive, but expressing the substance of 'numerus.'

1. 33. **Parvi refert**, 'it is little to the point.' 'Interest' and 'refert' are often thus qualified by a genitive of price. See *Madv.* § 295, *Obs.* 2.

Publicanis amissis. This is Halm's reading of a corrupt passage,

and it seems to give good sense, though it would be improved by the insertion of 'posse,' which might easily have dropped out after 'postea.' As it stands it is, 'that we should hereafter recover our revenues by force of arms, when we have allowed our *farmers* to be sacrificed.' Not 'when we have sacrificed them,' which would be 'perditis.' 'Amisissis' marks the loss, but does not acknowledge any active fault in occasioning it. The argument is that the revenues would be of no use with no one to contract for their collection: the old contractors would have lost all their capital, and new men would be afraid of so dangerous a speculation.

P. 36, l. 2. *Redimendi*, 'of farming the revenues.'

l. 4. *Docuit* is in the singular, though it has two connected subjects, because Mithridates is looked on as representing, and so contained in Asia. 'That same Asia, with the same Mithridates at its head.'

l. 7. *Fidem concidisse*, 'public credit collapsed through the difficulty of paying debts.'

l. 8. *Ut non . . . trahant*, 'without dragging down,' 'in such a way as not to drag down.' So below, *ut . . . non . . . concidant*. 'Illa' refers, somewhat irregularly, to the last-mentioned monetary system, perhaps, as Halm suggests, because of the remoteness of Asia. The neuter is used in each case *κατὰ φύσιν*.

l. 10. *Id quod ipsi videtis*: as though he said, 'though indeed no great amount of trust is required to believe what you can see with your own eyes.'

l. 11. *Ratio pecuniarum, &c.*, 'the whole financial system which prevails at Rome, and more especially in the money-market.' In the Forum were the banks, '*tabernae argentariorum*,' so that the addition of this clause points out that it was not only private accounts, but the whole monetary affairs of the empire that would be involved in any disasters in Asia.

l. 17. *Coniunctae cum re publica*, 'which you cannot separate from the interests of the state.'

c. 8. *Turning to the dimensions of the war, these had certainly been much contracted by the energy and skill of Lucullus, whose successes Cicero as fully and as gratefully recognised as any of his opponents.*

l. 19. *De magnitudine*. With this begins the second main division of the speech. Not only from its character, but from its dimensions, the war called for all the energies of the Roman people.

l. 22. *In quo*, 'under this head.'

l. 25. *Laudis*. The panegyric here introduced not only serves the purpose alleged, of showing that Cicero had no jealousy of L. Lucullus, but also magnifies the importance of the war, and therefore enforces the

necessity of extraordinary measures, if a man deserving of such praise was unable to bring it to an end.

l. 26. **Eius adventu**, 'when he arrived on the scene of action,' in B.C. 74. In this sense, marking the point of time, the ablative is very rarely used without a preposition, unless combined with some pronoun or adjective. 'Eius adventu' would naturally mean, as in c. 5, 13 ('cuius adventu ipso ac nomine'), 'by his coming.'

l. 27. **Mithridati**. With this rare form of the genitive cp. 'Tigrani,' c. 9, 23.

Ornatas atque instructas. These words are commonly combined by Cicero. That they are not exactly synonyms appears from Phil. 10. 4, 9: 'Non instructa solum, sed etiam ornata.' Probably 'instructa' marks that existing resources were made the most of, 'ornata' that everything needful was provided. 'Thoroughly equipped and prepared for war.'

l. 28. **Clarissimam, &c.** Strabo, 12. 8, 11, says that Cyzicus rivalled the first cities in Asia in its size and beauty and in the excellence of its administration. It was made a Libera Civitas in consideration of its loyalty during the war with Mithridates. The remains of the city at the present day show but little to bear out the history of its ancient splendour.

l. 33. **Ducibus Sertorianis**. The dative is probably here used instead of the more usual ablative with *a*, because of the preceding 'ab eodem imperatore.' It represents the action from a slightly different point of view, as done for the interest of those who did it. See *Madv.* § 250 a.

Studio, 'with party animosity.'

P. 37, l. 3. **Pontum**, the kingdom of Pontus, not the Euxine, to which **ex omni aditu** would be inappropriate. Cp. Arch. 9, 21.

Ex omni aditu. This use of 'ex' instead of 'ab' with a verb of exclusion, is perhaps unparalleled.

l. 5. **Amisum**. Amisus, which lay on the coast of the Euxine, about 112 miles east of Sinope, was first made a royal residence by Mithridates himself, who built a palace in the new suburb of Eupatoria.

l. 6. **Ceteras . . . permultas**, 'all the many other cities.' Cp. c. 17, 50; de Inv. 2. 1, 1: 'Is et ceteras complures pinxit tabulas.'

l. 8. **Alios . . . reges**. In the first instance to his son-in-law Tigranes, king of Armenia, and afterwards to Arsâces, king of Parthia.

l. 11. **Ita** stands very baldly by itself, so that Halm suggests that some such participle has dropped out as 'dictae,' or 'tributae.' The meaning is evidently 'and that so lavishly bestowed.'

l. 12. **Obtrectant**. For the mood see on p. 34, l. 28.

c. 9. *Still the war was of considerable magnitude. The army was somewhat demoralized by plunder; the petty tribes bordering on Armenia*

were roused to opposition by unfounded fears of Roman oppression; it was difficult to maintain an army so far from its base of operations; whilst Mithridates, encouraged by the sympathy commonly shown to monarchs in distress, had made a vigorous and too successful attack on the diminished forces of Lucullus.

l. 19. **Fratris sui**, of Absyrtus, from whose dismemberment the city of Tomi was supposed to derive its name. Cp. Ov. Trist. 3. 9, 5:—

‘Sed vetus huic nomen, positaque antiquius urbe,

Constat ab Absyrti caede fuisse loco.’

Persequeretur, ‘in which her father was likely to follow her.’ The subjunctive would have been used even had the sentence been in the *oratio recta*, as marking the motive with which the spots had been chosen by Medea.

l. 20. **Dispersa**. The epithet which properly belongs to the limbs is applied by *Hypallage* to the collection, as we might say, ‘their collection in different places.’

l. 22. **Maximam vim auri**. Cp. Flor. 3. 5, 18: ‘Rex callidus Romanaeque avaritiae peritus spargi a jugentibus sarcinas et pecuniam inssit, qua sequentes moraretur.’

l. 23. **Bello superiore**, in B.C. 88–84.

l. 29. **Rebus suis** is the dative, the ablative not being found with *diffido* except in post-Augustan writers.

Perditum recreavit, ‘gave him new life when all seemed lost.’

l. 31. **Plures gentes**. Plutarch (Lucull. c. 26) mentions among others Gordyeni, Medes, Adiabeni, Arabs, and the Caspian tribes of Albani and Iberes.

l. 33. **Lacessendas . . . temptandas**. ‘Lacessere bello’ is ‘to provoke by acts of hostility,’ and so to induce the people provoked to commit an overt act of war: ‘temptare’ to make a direct attack upon them.’

P. 38, l. 1. **Alia gravis, &c.**, ‘a further notion, serious in its nature, and adopted with fanatic zeal.’

l. 3. **Fani**. Mommsen (H. R. 4. p. 285) thinks that this was probably ‘the temple of the Persian Nanaea or Anaitis in Elymais or the modern Luristan, the most celebrated and the richest shrine in the whole region of the Euphrates;’ or at any rate one of the temples in this province, which were subject periodically to predatory attacks from the Syrian and Parthian kings.

l. 6. **Urbem, sc. Tigranocerta**.

l. 9. **Plura non dicam**, evidently to avoid so unpalatable a topic as the narrative of a mutiny among the soldiers of Lucullus. Cp. Plut. Lucull. c. 33.

l. 10. **Maturus**, ‘a timely retreat;’ neither precipitate nor too long delayed.

l. 12. **Et eorum . . . conlegerant**. These words look like a gloss,

inserted to explain *suam manum*, with which they must be identical in meaning, if this is opposed, as the preceding *et* would seem to show, to the *adventicia auxilia*. If the words are really part of the text, *eorum* must depend grammatically on *auxiliis*, unless some word such as *copiis* has dropped out after it.

l. 17. *Sanctum*. Halm compares Sall. Fr. 5. 1: 'Adeo illis ingenita est sanctitas regii nominis.'

l. 22. *Umquam*, which as a rule is confined to negative, interrogative, and hypothetical sentences, is here used in reference rather to Mithridates' want of hope that he should ever return home (*praeter spem*), than to his actually returning.

l. 25. *Calamitatem*. The battle of Zela, in which L. Triarius was utterly defeated by Mithridates. 'The Roman camp was taken: the flower of the infantry, and almost all the staff and subaltern officers, strewed the ground; the dead were left lying unburied on the field of battle, and when Lucullus arrived on the right bank of the Euphrates, he learned the defeat not from his own soldiers, but through the reports of the natives.' (Mommsen, H. R. 4. p. 71.)

l. 28. *Offensione*, 'shock of war;' cp. c. 10, 28: 'Offensionibus belli.'

Tamen, 'in spite of its magnitude.'

l. 30. *Vetere exemplo*. The old principle of short commands had already been set aside in the case of Lucullus himself, and it had become the established practice among the Romans to allow a successful general to retain his command throughout the war. The superseding of Lucullus was merely the result of jealousies and intrigues at home.

l. 31. *Stipendiis confecti*, 'worn out with their campaigns,' like 'confecti aetate,' 'senectute,' &c. Many editors read 'confectis stipendiis,' as an ablative of quality, 'who were men of completed campaigns,' i.e. 'who had served their time.' This however, being an inseparable quality of the men, would rather have been expressed in the genitive, whence Benecke conjectures 'stipendii confecti.'

l. 33. *Coniectura perspicite*, 'I would have you realize them to yourselves in thought, to make you consider how vast the war must be,' &c.

P. 39, l. 1. *Coniungant*, 'undertake in conjunction.'

l. 2. *Integræ nationes*, 'nations which had hitherto escaped its ravages.'

Novus imperator, sc. Glabrio.

c. 10. *There was but one man in Rome competent to take the command in such a war. It required a combination of military skill, sense of duty, prestige, and good fortune, such as was found in Pompey, and in him alone. His military skill proceeded from constant experience of fighting from his*

very boyhood, and was attested by his victories in every part of the world, and in every kind of war.

l. 8. **Innocentium.** In c. 13 he returns to this question of **innocentia**, contrasting it with the avarice and dishonesty of certain generals whom he will not name.

l. 12. **Antiquitatis memoriam**, 'all that we can find in the memorials of antiquity.' Cp. de Orat. I. 43, 193: 'Plurima est . . . in xii tabulis antiquitatis effigies.'

l. 13. **Virtute**, 'general merit,' in a more extensive sense than **virtutem** in the next section, where it seems to mean a combination of valour and integrity.

l. 19. **E ludo, &c.**, 'from school and the exercises of boyhood.'

Bello . . . hostibus, 'in a very important war with most active enemies opposed to him.' The ablative, marking the character of the attendant circumstances, is closely akin to the ablative of manner.

l. 21. **Extrema pueritia, &c.** Pompey was only seventeen when he joined the army of his father in the Social War, B.C. 89. In B.C. 83 he levied three legions in Picenum in support of Sulla, and gained his first victory in a battle with the Marian forces under M. Brutus.

l. 24. **Quisquam**, 'any other single person.' For this use of 'quisquam' after comparatives see Madv. § 494 b.

l. 25. **Confecit**, 'he has reduced to subjection;' cp. Liv. 40, 35: 'Dietu quam re facilius sit provinciam ingenio ferocem rebellatricem confecisse?'

l. 27. **Suis imperiis.** See Introduction, p. 27. 'Suis' is regular, rather than *ipsius*, because Pompey is himself implied in the abstract **adulescentia**.

Offensionibus. See on p. 38, l. 28.

l. 30. **Civile, &c.** The Civil War in B.C. 83, 82; that in Africa, against the Marians under Cn. Domitius Ahenobarbus, in B.C. 81; in Transalpine Gaul on his way to Spain, in B.C. 76, when he boasted to the senate that he had reduced to their allegiance Gaul and the Pyrenees, as well as the northern provinces of Spain; in Spain against Sertorius, in B.C. 75-72; the Servile War, in B.C. 71, which he claimed the merit of having finished after the victory of Crassus over Spartacus: and the naval war against the pirates in B.C. 67.

l. 31. **Mixtum . . . nationibus.** These words are probably corrupt, as they break in awkwardly upon the list of Pompey's wars, and give no satisfactory meaning in themselves, as **bellicosissimis** cannot be joined with **civitatis** as well as **nationibus**. The reading of the clause is also very uncertain.

P. 40, l. 1. In **usu positam militari**, 'in the whole range of military experience' The order of the words shows that **esse** is not the auxiliary with **positam**, but the verb of existence.

cc. 11, 12. *His sense of duty developed in him in no ordinary degree the common virtues of a general, such as diligence, personal valour, and prudence. This had been shown in every direction, and not least in their recent deliverance from the shameful panic inspired by the pirates and their successful raids. But a short time ago not only had many allied cities been in the power of the pirates, and navigation practically put a stop to everywhere, but the coasts and very highroads of Italy itself were not secure from their attacks. And yet within an incredibly short space of time they had been crushed and exterminated by Pompey's energy.*

l. 6. *Illae sunt solae, &c.* Cicero goes on with the illustration of these familiar virtues of a general to the end of c. 12, and then proceeds to the delineation of the extraordinary merits of Pompey in c. 13.

l. 7. *Labor . . . industria.* These may perhaps be distinguished as 'industry' and 'diligence;' labor marking the actual work performed, *industria* the readiness to expend the pains required.

l. 10. *Audivimus*, 'we have heard of.' The more usual construction would be 'de quibus audivimus,' but the irregularity is to bring it into harmony with 'vidistis.' Richter compares Verr. Act. 2. 5. 27, 68: 'Lautumias Syracusanas omnes audistis, plerique nostis.'

l. 12. *Liberatam*, from the tyranny of Marius and Cinna.

Sicilia. In B.C. 82 Pompey was sent by Sulla into Sicily, but there met with no opposition, as the consul Cn. Papirius Carbo, who was at the head of the Marian party in the island, attempted to make his escape as soon as he heard of Pompey's coming. The other allusions in this section have been already explained on p. 39, l. 30.

l. 14. *Explicavit*, 'he extricated.' Cp. Fam. 12. 25, 15: 'Republica Antoniano quidem latrocinio liberata, sed nondum omnino explicata.'

l. 21. *Attenuatum atque imminutum*, 'was reduced to insignificant proportions.' In his desire to magnify Pompey, Cicero ignores the severity of the last victorious campaign of Crassus against Spartacus in Lucania and Apulia, B.C. 71.

l. 24. *Cum universa, &c.* 'whether on the open seas, or more especially in the various bays and harbours on their several shores.'

l. 25. *Toto mari.* See on p. 33, l. 33.

l. 29. *Aut hieme*; when he might reasonably expect that the pirates would not venture to follow their trade. Cp. c. 12, 32. But Dion Cassius (36. 21, 2) says that even in winter the sea was not safe from their aggressions.

Praedonum. For the genitive after *referta*, on the analogy of *plenus*, &c. cp. pro Font. 5, 11: 'Referta Gallia negotiatorum est, plena civium Romanorum.'

l. 30. *Tam vetus.* As long ago as B.C. 103 Cilicia had been assigned to M. Antonius as his 'provincia,' with the view of extirpating the

pirates, and since B.C. 79, when P. Servilius was sent against them as consul, an almost continuous war had been waged with more or less success for their suppression.

P. 41, l. 4. *Captas urbes*. Plutarch (Pomp. c. 24) estimates the number of cities taken by the pirates at 400.

c. 12. l. 8. *Propugnaculis*, 'the outworks of the empire,' viz. the fleets and expeditionary forces. Cp. Verr. Act. 2. 3. 80, 186: 'Classis pulcherrima, Siciliae praesidium propugnaculumque provinciae.'

l. 10. *A Brundisio*, Brundisium being the ordinary port of embarkation for Greece.

l. 11. *Hieme summa*. See on p. 40, l. 29.

l. 13. *Redempti sint*, 'have been ransomed,' and therefore previously taken prisoners. Of this circumstance we have no further particulars elsewhere.

l. 14. *Duodecim secures*, i.e. two praetors with their six lictors apiece. In the city a praetor was only attended by two lictors, but in the provinces by six. Moreover it was only outside the city that the lictor's fasces were allowed to contain axes. Plutarch (Pomp. c. 24) gives the names of these praetors as Sextilius and Bellinus, but nothing more is known of them.

l. 17. *Quibus vitam, &c.*, 'from which you derive the very breath of life:' perhaps as being the *dépôts* of the corn trade.

In . . . potestatem. The accusative appears to be used in this expression in a pregnant sense, marking not merely that the ports were subject to the pirates, but that they had been brought under subjection. The reading in this passage is not quite certain, some MSS. having *potestate*, but the construction occurs elsewhere in Cicero, Livy, and Tacitus. Cp. Div. in Caec. 20, 66: 'Ab exteris nationibus, quae in amicitiam populi Romani dicionemque essent, iniurias propulsare.' See Madv. § 230 b, Obs. 2.

l. 19. *Celeberrimum*, 'much frequented.'

Inspectante praetore. We have no knowledge of the circumstances of this disaster, but the praetor has been supposed to be M. Antonius Creticus, father of the triumvir, who in his praetorship, B.C. 74, was placed in command of a fleet with a commission to clear the Mediterranean of pirates, in which he conspicuously failed. His sister is probably alluded to in the next sentence, as we learn from Plutarch (Pomp. c. 24) that a daughter of M. Antonius the orator, who triumphed over the pirates in B.C. 102, was taken captive by them on the coast of Italy.

l. 21. *Liberos*, rhetorically, of a single child, as in Phil. I. I, 2: 'per liberos eius,' of one son of the younger Antonius.

l. 23. *Ostiense incommodum*. Dion Cassius (36. 5) tells us that the pirates sailed right into the harbour at Ostia, and ravaged the lands

at the mouth of the Tiber, with as much security as though they had been at home.

l. 25. **Classis ea**, 'a fleet of such importance as to have a Roman consul in command.' The subjunctive is used because the relative expresses the quality of the fleet, which is emphasized by the insertion of 'ea.' The date and name of the consul are unknown.

l. 27. **Tam brevi tempore**, in 40 days the Mediterranean was cleared of pirates, 49 more sufficed for their suppression in the eastern seas.

l. 30. **Intra Oceani ostium**, 'within the limits of Ocean itself;' the **ostium** referred to being probably the straits of Gibraltar.

l. 32. **A me . . . praetereunda**. For the construction see on p. 32.

l. 4: and cp. Phil. 3. 8, 21: 'Sin ille a senatu notandus non fuit.' The attraction is also to be noticed, by which the plural is used for the singular, as it was not the series of exploits, but the speed with which they were achieved, that Cicero felt bound to chronicle. Cp. In Kull. I. 2, 5: 'Quemadmodum Pompeium indicarent, a me indicati sunt.'

P. 42, l. 2. **Quam celeriter** answers to **tam brevi tempore** as though it had been 'tanta celeritate quanta.'

l. 3. **Navigavit**, 'the shock of war made its way over the sea.'

l. 4. **Siciliam adiit, &c.** Pompey seems to have chosen these three districts as the sphere of his own first operations against the pirates, because of the importance of reestablishing the grain supply. The clearing of the Spanish and Gallic coasts, and of the home shores of the Mediterranean and Adriatic, together with the coasts of Illyricum and Greece, was entrusted to his 'legati,' of whom he appointed thirteen to carry on the war in as many districts.

l. 7. **Transalpina**. Transalpine Gaul was not at this time a Roman province, having been first reduced by Julius Caesar; and though Pompey might still have cleared its shores of pirates, yet it seems probable that the word has been introduced by some commentator, especially as one MS. has **Cisalpina**.

l. 10. **Duo maria**, the Mediterranean and the Adriatic.

l. 11. **Ut**, 'from the time that,' a rare use of the word, but cp. Att. 1. 15, 2: 'Ut Brundisio profectus es, nullae mihi abs te sunt redditae litterae.'

l. 13. **Ubique**, 'anywhere,' as opposed to 'unique,' 'in every place at once.' The expression 'omnes qui ubique sunt' is a favourite one with Cicero.

l. 15. **Cretensibus**. Pompey's dealings with the Cretans formed the least creditable part of his campaign against the pirates. See *Intro.* p. 28.

Usque in Pamphyliam. So in c. 16, 46: 'In ultimas prope terras.' In both passages there is somewhat of false rhetoric, as Pamphylia, though sounding very distant to a Roman audience, was not so very far from Crete.

l. 16. **Deprecatoresque**, 'men who were at once envoys and suppliants;' 'envoys to deprecate his wrath.'

l. 17. **Obsides imperavit**, 'demanded hostages;' in this case a sign of clemency, as marking his readiness to give quarter.

cc. 13, 14. *But such qualities required to be adorned also by integrity, self-control, honour, courtesy, and intellectual power. In the first he presented a remarkable contrast to the self-seeking and rapacity of certain other generals, who had brought lamentable discredit on the Roman name among their own allies. Through his temperance and self-denial he was always ready to seize any opportunity for action, and impressed foreigners with the energy and frugality of the Roman race. And the finished courtesy and nobility with which he treated them, made their enemies love him no less than they respected him.*

l. 23. **Ceterae**. See on p. 40, l. 6.

l. 25. **Quaerenda est**, 'should be looked for.' So in c. 22, 64: '**Aliae quoque virtutes . . . requiruntur.**'

l. 26. **Multae artes**, 'many points of excellence.' **Artes** are nearly equivalent to **virtutes**, but imply in each case the practical working out of the noble quality. Cp. *Fin.* 2. 34, 115: '**Lustremus animo non has maximas artes quibus qui carebant inertes a maioribus nominabantur.**'

l. 27. **Innocentia** is shown, by its illustration in §§ 37-39, to be integrity, as opposed to rapacity and extortion.

l. 29. **Facilitate**, 'graciousness,' implying readiness to listen, as distinguished from **humanitas**, 'courtesy of demeanour.' **Ingenium** is exemplified in § 42 by '**consilium**' and '**dicendi gravitas et copia.**'

l. 30. **Quae . . . qualia sint**, 'what is their character as seen in Gnaeus Pompeius.' In these virtues, it is not a question of degree but of kind. Pompey differed from other generals in the standard which he set before himself, not merely in the degree in which he acted up to it.

l. 31. **Summa**, 'in the highest degree.'

l. 32. **Contentione**, 'comparison with others;' a common meaning of the word in Cicero. Cp. *Fin.* 1. 43, 152: '**Contentio et comparatio de duobus honestis utrum honestius.**'

l. 33. **Ullo in numero**, 'of any account.' So without the preposition, *Phil.* 2. 29, 71: '**Quo numero fuisti?**' The insinuation is probably aimed at M'. Acilius Glabrio, consul in B.C. 67, who had been sent out to supersede Lucullus in the command against Mithridates.

P. 43, l. 3. **Cogitare** depends on 'possumus putare,' to be repeated from the former clause, with a slight change in the sense of 'putare,' from 'esteem' to 'think.' Halm compares *Verr. Act.* 2. 5. 9, 23: '**Statuite quanti hoc putetis, et quam multos (sc. putetis) redemisse.**'

l. 4. **Cupiditatem provinciae**, 'his eagerness to secure himself in his province.'

l. 5. **In quaestu**, 'profitably invested.' Cicero brings a similar accusation against Lucius Piso (Pis. 35, 86): 'Nonne sestertium centiens et octagiens . . . ex aerario tibi adtributum Romae in quaestu reliquisti?'

l. 6. **Vestra admurmuratio**, &c. From the fact that similar acknowledgments of the effect of his words on the audience are found in the 2nd Philippic, which was never delivered, it would appear that Cicero was in the habit of preparing them beforehand, when he thought that they would be effective.

l. 11. **Ferant**, 'bring in their train; ' i.e. as he goes on to show, to the allies, who suffered more than the enemy from the presence of the Roman armies.

Itinera quae . . . fecerint. The subjunctive mood shows that 'quae,' though following 'itinera,' is the interrogative, not the relative; 'itinera' being put first for emphasis.

l. 19. **Hic**, 'under these circumstances.' Cp. Arch. 4, 8: 'Hic tu tabulas desideras Heracliensium publicas.'

l. 21. **Non modo manus**, 'not only ~~was~~ the hand.' 'Non modo' is ordinarily thus used for 'non modo non' when the predicate is common to both clauses, so that the negation which lies in 'ne . . . qualem,' may be referred to the whole sentence. See Matlv. § 461 b. The contrast between 'manus' and 'vestigium' seems to be this, that an army marching through a country cannot help leaving on it the print of their foot, but the impress of their hand would be a wanton and unnecessary aggravation, marking a hostile spirit of rapacity.

l. 26. **Hiemis . . . non avaritiae perfugium**, 'a refuge against the winter, not a haven for avarice; ' the two genitives being thus used in different modes of dependence upon 'perfugium.'

c. 14. l. 30. **Inventum**, 'where do you think he managed to get such wondrous speed?' &c.

P. 44, l. 2. **Amoenitas**, 'beauty of scenery.'

l. 3. **Nobilitas urbis**. Plutarch (Pomp. c. 27) tells us that even at Athens he only staid long enough to offer sacrifice and to make a speech to the people.

Denique . . . postremo. 'Denique' introduces the last of a series of similar causes which might honestly have delayed a general, 'postremo' brings in one of a different and less honourable kind, which completes the whole catalogue of possible reasons for delay.

l. 8. **Nunc denique**, 'now, in short.'

l. 11. **videbatur**, 'was ~~beginning~~ to be looked upon as incredible.'

l. 15. **Faciles aditus**. So in Phil. 5. 7. 20, Cicero mentions as a proof of Antony's overweening pride that with him there was 'nullus aditus privato.'

l. 16. *Aliorum iniuriis*, 'the wrongs done by others.'

l. 22. *Sanctissimam*, 'absolutely inviolable.'

cc. 15, 16. *His prestige might be estimated by the unanimity with which the Roman people demanded his appointment; by the fall in prices which his proposal immediately caused; and by the check at once given to Mithridates by his mere presence in the East. It was further attested by the eagerness which the Cretans and Mithridates had shown at different times for his support. His good fortune was a more delicate point to discuss, but it had been greater than any other general had even dared to wish for. With all these qualifications, and considering that he was practically on the spot, they ought to appoint Pompey without a moment's hesitation.*

l. 29. *Auctoritas*, 'prestige.'

l. 31. *Ea re*, sc. *auctoritate*.

P. 45, l. 1. *Aut contemnant aut metuant* would refer rather to the feelings of the enemy; *aut oderint aut ament* to those of the allies.

l. 2. *Opinione*, 'general impression.'

l. 7. *Illius diei*, when the command in the war against the pirates was given to Pompey by the *Lex Gabinia* in the preceding year.

l. 13. *Ab eodem, &c.* 'We may find in the same Cn. Pompeius a model of every kind of excellence.'

l. 14. *Qui quo die*. This double relative at the beginning of a Latin sentence has no parallel in English. We must translate 'for on the very day that he.'

l. 16. *Vilitas annonæ*. Plutarch (*Pomp. c. 26*) says that the immediate fall in the prices of commodities gave the people occasion to say with satisfaction that the very name of Pompey had put an end to the war.

l. 17. *Hominis spe ac nomine*. '*Hominis*' is objective genitive after '*spe*,' subjective after '*nomine*.' 'By the mere name of a single man and the hopes which he inspired.'

l. 19. *Calamitate*. See above, on p. 38, l. 25.

l. 22. *Non haberet*; now that Lucullus had been ordered to return home.

l. 23. *Ad ipsum discrimen, &c.*, 'to meet the immediate danger of that crisis.'

Divinitus, 'providentially.' The word is used with considerable propriety, since the purpose of Pompey's mission to the East was wholly unconnected with the war against Mithridates, and therefore no human wisdom could claim the credit of his being ready on the spot.

l. 25. *Insolita*; as he had previously been accustomed to defeat by Sulla, Murena, and Lucullus.

l. 26. **Continuit**, 'checked,' of the enemy in the immediate neighbourhood, **retardavit**, 'prevented the advance' of the more distant foe. c. 18. p. 46, l. 1. **Cretensium legati**. See *Introd.* p. 28.

l. 3. **In ultimas prope terras**. Into Pamphylia. See on p. 42, l. 15.

l. 6. **In Hispaniam**. During the war with Sertorius Mithridates seems to have kept up communications with both sides, having in the course of 75 B.C. sent envoys under various pretexts to the camp of Pompey, while in 74 B.C. he made a formal treaty with Sertorius. See Mommsen, *Hist. of Rome*, iv. pp. 33, 51.

l. 7. **Ei quibus erat molestum**. Probably referring to Q. Metellus Pius, the original commander in the war against Sertorius, who would be jealous of such important negotiations being opened with one inferior to himself in rank: Pompey being at the time only a quaestor, while Metellus had been consul.

l. 13. **Praestare**, 'to guarantee.'

l. 15. **De potestate deorum**; with whom man's good fortune must always rest.

Timide et pauca; for fear of exciting the jealousy of the gods.

l. 16. **Maximo, Marcello**. Cicero is referring to Q. Fabius Maximus Cunctator, the successful opponent of Hannibal, and M. Claudius Marcellus, the conqueror of Syracuse.

l. 20. **Amplitudinem . . . gloriam**. Cicero distinguishes these two words, *de Invent.* 2. 55. 166: 'Gloria est enim frequens de aliquo fama cum laude; amplitudo potentiae aut maiestatis aut aliquarum copiarum magna abundantia.'

l. 21. **Divinitus**. Cp. Aesch. *Sept. c. Theb.* 610 θεοῦ δὲ δῶρόν ἐστιν εὐτυχεῖν βρότους.

l. 25. **Videamur**. He includes his audience, as implying that if they listened to a speech which would offend the gods, they would be implicated in the offence.

Invisa, if he made a boastful speech, **ingrata**, if he passed over the favour of the gods without acknowledgment.

l. 29. **Adenserint**. It seems doubtful whether there is any other passage in Cicero where the active form of this verb is the genuine reading.

l. 32. **Tacitus**, 'even without giving utterance to his wish.'

l. 33. **Detulerunt**, 'have given of their own accord,' as opposed to 'conferre' in the next section, which is 'to give a boon that has been sought.'

P. 47, l. 8. **Hoc tantum boni**, 'so great a piece of good fortune as this;' viz. the chance of appointing such a general.

c. 17, l. 12. **Erat deligendus**. The indicative seems to be here used after a conditional protasis, to mark that the propriety of sending out Pompey did not depend on the condition, but would only not be inter-

ferred with by its being true. He was under any circumstances the general to appoint, and this would have been true had he been at home, and holding no office. Cp. Arch. 10, 25; and see Madv. § 348 e.

- l. 13. *Ceteras summas*. See on p. 37, l. 6.
- l. 15. *Ab eis*, sc. from Lucullus and Glabrio.
- l. 17. *Summa cum salute*, 'with the most perfect safety to the state.'
- l. 18. *Committamus*. The subjunctive is always used with 'cur.' when it introduces a mere supposition. *Cur non committimus* would be, 'why do we refuse to entrust?'

c. 17. *The objection urged by Q. Hortensius, that the conduct of so great a war ought not to be entrusted to a single general, had been fully discussed in the debate on the Gabinian law, and the result had amply justified the Roman people in giving Pompey the sole command against the pirates.*

l. 19. *At enim* introduces as usual a supposed objection to the orator's case; 'yet it will be urged.' The reply to opponents of the Lex Manilia, commenced with these words, occupies the rest of the speech with the exception of the concluding chapter.

l. 20. *Q. Catulus*, who rendered himself conspicuous in his consulship, B.C. 78, by his support of the aristocratical party against his colleague M. Lepidus, was at this time the acknowledged leader of the party, and a man universally respected for his patriotism and probity.

Itemque . . . praeditus. Richter suggests the insertion of 'vir' after 'itemque,' to remove the awkwardness arising from the difference of expression in the two clauses. 'Vir' however, though indispensable with the two superlatives, is not equally required with the single participle of the second clause.

l. 21. *Q. Hortensius*, the orator, who had passed through all the grades of official rank, having been consul in B.C. 69, with Q. Caecilius Metellus.

- l. 24. *Cognoscetis*, 'you will recognize,' and so give due weight to.
- l. 28. *Isti*, 'those same men on whose authority you rely.'
- l. 30. *Omnia*. Plutarch (Pomp. c. 30) points out that the Lex Manilia, following on the Lex Gabinia, practically placed the whole empire in the hands of one man: *Τούτο δ' ἦν ἐφ' ἐνὶ συλλήβδην γενέσθαι τὴν Ῥωμαίων ἡγεμονίαν*.

l. 33. *Oratio, &c.*, 'that line of argument is out of date, confuted by the logic of facts rather than of words.'

P. 48, l. 3. *Cum . . . promulgasset*; in B.C. 67.

l. 5. *Ex hoc ipso loco*, from the Rostra in the Forum.

l. 8. *Vera causa*, 'the true interests of the Roman people.'

l. 10. *Legati, &c.* See on p. 41, l. 13.

l. 12. *Commeatu*, 'from communication with the provinces,' mainly

though not necessarily for the purpose of obtaining provisions. Hence the ordinary meaning of the word with Cicero is 'supplies,' especially of corn.

cc. 18, 19. *A year ago the Roman people were in a more humiliating position than the smallest island state. Inheriting a great naval power, they had found themselves unable to protect even their harbours and highroads. From this degradation Pompey had delivered them within the year, and yet they refused him the customary privilege of choosing his own legatus. This was a reproach which Cicero would use his utmost efforts to remove, and he would formally propose in the senate that A. Gabinius be appointed legatus to Cn. Pompeius.*

l. 18. *Rhodiorum.* The naval power of the Rhodians became especially conspicuous from the time of Alexander's death; though the importance of their early colonies in Italy and Sicily shows that it was never insignificant during the period of Greek history.

l. 22. *Aliquot annos continuos,* 'for the space of several years together.'

l. 25. *Ac* here, as frequently, leads up to a climax: 'a great, nay I might say the greatest.'

l. 26. *Non modo utilitatis, &c.,* 'not only of what conduced to its interests, but of its actual honour and empire.'

l. 27. *Antiochum.* The fleet of Antiochus, under Polyxenidas, was defeated off Corycus in B.C. 191 by C. Livius Salinator, and again at Myonnesus in B.C. 190 by L. Aemilius Regillus.

Persen. In B.C. 168 Perses was blockaded by Cn. Octavius in Samothrace, after the battle of Pydna, and for compelling his surrender Octavius received a naval triumph, to which Cicero is probably here referring. The only notable naval engagement in the war, however, was in B.C. 170, when the Roman fleet was defeated at Oreus, so that the allusion to Perses is not entirely felicitous.

l. 30. *Ei.* For this redundant use of 'ei.' to recall to mind the preceding *nos* after the intervening relative clause see *Madv.* § 489 a. 'Is' is very rarely used as a demonstrative of the 1st or 2nd person, but cp. *Fam.* 12. 14: 'Atque haec omnia is feci qui sodalis Dolabellae eram.'

l. 33. *Delos.* After the destruction of Corinth in B.C. 146, Delos became the centre of Greek commerce, for which it was especially adapted by its excellent harbourage and its position in the highway of trade.

P. 49, l. 2. *Commeabant,* 'used to resort.' See on 'commeatus,' p. 48, l. 12.

l. 4. *Appia Via.* The Appian way, from its proximity to the sea, was especially exposed to the attacks of pirates, who, according to

Plutarch (Pomp. c. 24), were most daring in their descents upon the Italian coasts.

l. 6. **In hunc locum**, sc. into the rostra, which, as being adorned with the trophies of naval victories, formed a standing reproach to the apathy of the Romans in submitting to the depredations of the pirates.

c. 19. l. 9. **Bono animo**, 'in all honesty.'

l. 11. **In salute**, 'in a matter concerning the common safety.'

l. 15. **Aliquando**, 'at last ;' 'aliquando' differing from 'tandem' as implying that the event had been anxiously looked for.

l. 17. **Obtrectatum esse** is here used with a double construction, followed by the dative in the parenthetical clause, and by 'ne' with the subjunctive in the main sentence. 'Wherefore it seems even the less excusable that obstacles should have been placed in the way, shall I say of Gabinius or of Pompey, or, as would be more true, of both, in preventing the appointment of Aulus Gabinius as *legatus* to Gnaeus Pompeius when he so earnestly desired and demanded it.' By the Lex Gabinia Pompey was allowed to choose his own *legati*, but could not then take Gabinius, who was tribune of the commons for the year. Afterwards the appointment of *legati* devolved in ordinary course upon the senate, and the party opposed to the Gabinian law successfully resisted the appointment of Gabinius.

l. 24. **Expers**, in its strict sense, 'without any share in.'

l. 25. **Periculo**, 'responsibility,' as we say, 'at his own proper risk.'

l. 26. **An . . . potuerunt, &c.** The real stress of the question lies in the second alternative. Cicero is not questioning the appointment of Falcidius and the rest, but asks whether, while they could be appointed on the expiration of their office as tribunes, it is in the case of Gabinius alone that the senate is so particular. This co-ordinate arrangement of two clauses, of which the former is only introduced for the sake of contrast, is common in Greek with $\mu\acute{\epsilon}\nu$ and $\delta\acute{\epsilon}$, and is known as the grammatical figure of *parataxis*.

l. 27. **Honoris causa**, 'with all respect,' the usual formula when living persons are spoken of by name, especially where the context might imply disparagement. See on p. 10, l. 30.

l. 29. **Tam diligentes**, 'so very particular in enforcing the letter of the law.' What made the case of Gabinius exceptional was that he had been instrumental in obtaining the command against the pirates for Pompey, and under these circumstances he was statutorily disqualified from being his *legatus* by the Lex Licinia et Aebutia. We have no means of knowing whether the four persons mentioned came within the terms of that law, so that the parallel between them and Gabinius should hold good.

l. 31. **Per vos**. So 'vestris suffragiis' at the end of the chapter.

Esse deberet, 'would have a special claim to be *legatus*,' i.e. if

he were not hopelessly disqualified; 'legatus' being easily understood from 'legati' at the close of the co-ordinate clause.

1. 32. **Ad senatum relatueros**, 'will bring a motion before the senate;' 'rem' being so constantly omitted in the technical expression, as to lead to the secondary construction 'de re aliqua referre ad senatum.'

1. 33. **Ego**. In his capacity of praetor, which gave him the right to bring forward any motion in the senate, though apparently this right might be interfered with by an edict of a superior magistrate forbidding any special proposal to be made.

P. 50, l. 2. Vestrum ius beneficiumque. These words seem to be rightly interpreted by Benecke to mean, 'your right to appoint whom you will, and your bestowal of this favour on Gabinus.'

1. 3. **Intercessionem**, 'the veto of the tribune,' which was irresistible.

1. 4. **Quid liceat**, 'how far they may go.' A tribune might veto any measure, but could only do so safely when public opinion would at least in some degree support him.

1. 6. **Socius ascribitur**, 'is naturally given to Pompey as an associate;' his sense of the natural fitness of the arrangement leading Cicero to use the present instead of the future.

c. 20. Q. Catulus objected that if anything should happen to Pompey there was no one to replace him: and that there was no precedent for the proposal. The people had shown the weakness of the first objection by naming Catulus himself: and to the second Cicero would answer that there were many precedents for such a course, and further that the Roman people never waited for a precedent in a great emergency, as they had repeatedly shown in the case of Pompey himself.

1. 9. **Q. Catuli**. See on p. 47, l. 20.

1. 11. **Si quid eo factum esset**, 'if anything should happen to him,' as in Phil. 1. 4, 10: 'Si quid mihi humanitus accidisset.' 'Fio' in this sense is used either with the simple ablative, as here and Fam. 14. 4, 3: 'Quid Tulliola mea fiet,' or with the ablative and 'de,' or with the dative. See Madv. § 241, Obs. 5; § 267, Obs.

1. 20. **Ne quid novi, &c.** The supposed objection is introduced in the very words which the objector would use, probably a well-known constitutional aphorism.

1. 21. **Non dicam, &c.** This is a conspicuous instance of the rhetorical figure which has already occurred in c. 16, 48; in which the speaker, under a profession of reticence, really sets forth what he proposes to suppress. It is described in Auct. ad Herenn. 4. 27, 37, under the title of 'occupatio.'

1. 23. **Novos casus temporum**, 'new emergencies.'

l. 25. **Ab uno imperatore.** The two consulships of the younger Scipio in B.C. 147 and 134, were both against rule. Carthage and Numantia were respectively destroyed in B.C. 146 and 133. When elected for the first time he was below the legal age, and had held no curule office: and a second election was forbidden by a law passed B.C. 150, and only violated during the remainder of that century in the cases of Scipio and Marius. See Epit. Liv. lvi.; and Cat. Fragm. Or. 63, in Meyer's Orat. Rom. Fragm. p. 113.

l. 29. **C. Mario.** Marius was appointed to the command of the war against Jugurtha in his first consulship, B.C. 107, and brought the war to a successful issue as proconsul in the following year. He defeated the Teutoni in his 4th consulship, B.C. 102, and the Cimbri in his 5th, B.C. 101.

c. 21. *At every stage of Pompey's official career precedent had been violated, the early maturity of his powers having made all ordinary restrictions out of place. Each successive irregularity had been followed by a new triumph, and all had been sanctioned by Catulus and his friends.*

P. 51, l. 1. **Exercitum . . . conficere.** See on p. 30, l. 21.

l. 5. **A senatorio gradu.** The age for admission to the senate can only be determined by inference, but as the usual mode of access to it was through the quaestorship, which could be held at thirty-one, it probably was thirty-two. Pompey was sent into Sicily at the age of twenty-four, in B.C. 82, and obtained a triumph for his victories in Africa in September, B.C. 81.

l. 8. **Innocentia.** See on p. 42, l. 27.

l. 10. **Deportavit.** 'Deportare' is the technical word for bringing an army home in triumph, as distinguished from the more general word 'reportare.'

Equitem Romanum. Cicero, belonging to an equestrian family, would feel especial pride in recording this fact.

l. 12. **Omnium . . . studio, &c.,** 'that all should vie with one another in thronging to the spectacle.'

l. 13. **Ut . . . mitteretur.** After such expressions as **inusitatum est**, or (below) **singulare est**, the accusative with the infinitive would be much more usual, but they are sometimes followed by 'ut' with the subjunctive to mark that the action criticised actually takes place. See Madv. § 374, Obs. 2.

l. 14. **Duo consules.** D. Iunius Brutus and Mam. Aemilius Lepidus, who were consuls in B.C. 77, when Pompey was sent to take the command against Q. Sertorius in Spain.

l. 19. **Non . . . pro consule, &c.** This saying of L. Philippus, who was one of the most distinguished Roman orators, is quoted again by Cicero in Phil. 11. 8, 18.

l. 23. *Legibus solutus*. In Pompey's election to the consulship in B.C. 70, two laws were disregarded; the *Lex Villia Annalis*, fixing the age for the consulship at forty-three, and a *Lex Cornelia*, prescribing that a man should not be elected consul till he had been quaestor and praetor, neither of which offices Pompey had held.

l. 24. *Ullum alium*. Probably Cicero means curule offices, since the quaestorship could be held at thirty-one, but the curule aedileship only at thirty-seven.

l. 25. *Eques Romanus*. As Pompey had held no magistracy, he had not passed into the senate in ordinary course, and there had been no censors, who might have admitted him on special grounds, since B.C. 86. Hence at his second triumph in B.C. 71, over Sertorius, his position was still only that of a knight.

l. 26. *Quae in omnibus, &c.*, 'the whole number of precedents that history can record as established within the memory of man.'

l. 30. *A Q. Catuli . . . auctoritate*; sc. as senators, and so responsible for the several decrees which had conferred his distinctions upon Pompey. In the case of the first triumph, at any rate, this argument is unfair, since it had really been granted by Sulla on his personal authority.

cc. 22, 23. *Opposition to the popular will came now with singularly bad grace from the senate, who in their own proposals about Pompey had always been cordially and judiciously supported by the people. A good appointment was especially desirable, owing to the discontent caused among the allies by the unscrupulous rapacity of most Roman generals. Pompey's uniform integrity would render his command universally acceptable abroad: and at home it was advocated by men of quite as high position as Hortensius and Catulus themselves.*

l. 33. *Illorum auctoritatem, &c.* Another instance of *parataxis*; see on p. 49, l. 26. Cicero's argument is that when the senate had taken the initiative in conferring honour upon Pompey, the people had always supported them: and that therefore it was at once unjust and ungenerous that the senate should now try to thwart the people, who were in reality only carrying out the senatorial policy to its natural conclusion. There is a certain confusion to be noted in the sentence, from the people being both addressed in the second person, and spoken of in the third.

P. 52, l. 2. *Suo iure*, 'with well-established right,' seeing that the opposition was only the same as it had been in the case of the Gabinian law, which had been passed with such happy results to the Roman people.

l. 4. *Isdem istis*. This refers probably not to the senate as a body, but to the senators before spoken of as *omnes qui dissentiunt*.

l. 6. **Si . . . fecistis**, 'if in doing this you were rash;' the indicative being used because it is not the fact, but the caution displayed in it that is represented as open to question. So in the apodosis the emphasis is on 'recte;' 'they are right in their attempt.'

l. 11. **Sibi**. In this case, where the verb takes a second dative, the agent would be more usually expressed in the ablative with 'a.' See on p. 32, l. 4.

l. 15. **Asia**: sc. the province of Asia Minor.

Interiorum nationum, 'the nations in the interior of Asia.' The riches of the Asiatic provinces were a notorious cause of corruption to the Roman governors.

l. 16. **Nostrum imperatorem**, 'a general of ours,' the singular being used indefinitely, instead of the more usual plural.

Nihil aliud nisi de hoste. The change of construction is noticeable, from the accusative of cognate signification to the ablative with *de*. The former is only admissible with pronouns or adjectives, and 'de nulla alia re nisi de hoste ac de laude,' would have been awkwardly long. Cp. *pro Arch.* c. 4, 8.

l. 17. **Pudore** answers to **libidines** in the next section, **temperantia** to **iniurias**.

l. 23. **Quam civitatem sanctam, &c.** See on p. 6, l. 17.

l. 25. **Quibus . . . inferatur**, 'against which a cause of war may be alleged, to gratify their greed for spoil.' 'Inferre' seems to be used with 'causa' instead of the more usual 'conferre,' from a reminiscence of the common expression 'inferre bellum.'

l. 27. **Coram**, 'face to face,' rather than with *Halm* 'in private.'

l. 30. **Hostium simulatione**, 'on the pretence of attacking an enemy.'

l. 32. **Non modo**, 'I do not say.' See *Madv.* § 461 b, *Obs.* 2.

l. 33. **Capere**, 'be large enough to contain.'

c. 23. p. 53, l. 1. **Conlatis signis**, 'in a pitched battle.'

l. 3. **Qui se, &c.** 'Se' might have stood as the object of **cohibere** throughout the clauses to which the verb belongs, but for greater clearness Cicero as it were analyses it in the last clause into the parts of the body that were the special ministers of avarice.

l. 7. **Ecquam putatis, &c.**, 'think you that any state was ever admitted to terms of peace which was rich? or that any state was ever rich, which seemed to them in a condition of peace?' i.e. if you found a state at peace with Rome, you might be sure it was poor: if you found one that was rich, you might be sure these harpies would find a pretext for continuing war against it.

l. 9. **Ora maritima**. The districts, that is, which he had rescued from the pirates.

l. 12. **Praeter paucos**. Cicero probably adds this saving clause

especially out of respect for P. Servilius Vatia, of whose conduct in the war against the pirates (B.C. 78-75) he speaks in the highest terms.

l. 13. *Adsequi classium nomine*, 'never achieved anything on the strength of their fleets.'

l. 15. *Quibus iacturis, &c.*, 'what sacrifices, what compacts men make on setting out for their provinces.' In the hope of rich spoil from the administration of the provinces men were willing to bestow large sums of money, and yet more lavish promises of a share in the booty to those who could help in securing their appointment.

l. 18. *Alienis vitiis*, 'by comparison with the vices of other men.'

l. 19. *Dubitare quin, &c.* See on p. 73, l. 29.

l. 22. *Auctoritatibus*, 'by the weight of authority in its favour.'

l. 24. P. Servilius Vatia, consul in B.C. 79, distinguished himself as proconsul in Cilicia, B.C. 78-74, by his successful war against the pirates, in consideration of which he received the surname of *Isauricus*.

l. 25. *Deliberetis*. The subjunctive is causal; 'deliberating as you are on war.'

l. 26. C. Curio, consul in B.C. 76, was afterwards proconsul in Macedonia till B.C. 71, when he obtained a triumph for his campaigns against the Dardani and Moesians.

l. 28. *Praeditus*, which properly applies only to *ingenio* and *prudentia*, is joined by zeugma also to *beneficiis* and *rebus gestis*, instead of a more appropriate word such as '*ornatus*.'

Cn. Lentulus Clodianus, consul in B.C. 72, served as *legatus* under Pompey in the war against the pirates. He is perhaps best known for the austerity of his censorship in B.C. 70, when sixty-four men of infamous life were expelled from the senate.

Pro... *honoribus*, 'corresponding to the dignities which you have so lavishly bestowed on him.'

l. 30. C. Cassius Longinus, consul in B.C. 73, is only known by an agrarian law which he passed with his colleague during his consulship, and for a defeat by Spartacus in the ensuing year.

l. 31. *Videte ut . . . videamur*. '*Videre*' in this sense of *taking care* that a thing shall not or shall be done, is frequently followed by 'ne,' less commonly by 'ut.' In *de Off.* 1. 14. 42 both occur: '*Videndum est primum ne obsit benignitas . . . tum ut pro dignitate cuique tribuatur.*' Madvig, taking *videte* in the sense of '*consider the point,*' reads *horumne*, which Halm has adopted.

l. 32. *Illorum*; sc. of Hortensius and Catulus.

c. 24. *Cicero concludes with an earnest appeal to Manilius not to be induced by any influence to let his measure drop; followed by an eloquent vindication of his own disinterestedness in supporting it.*

P. 54, l. 2. *Legem et voluntatem et sententiam*, 'the policy of

the law, the loyalty which prompted its proposal, and the boldness with which it was actually brought before the people.'

l. 3. **Auctore populo**, 'with the people to support you.'

l. 7. **Iterum**; the former time being on the occasion of the Gabinian law the year before.

l. 8. **De re**, 'about the substance of the proposal.'

l. 11. **Hac potestate praetoria** explains **hoc beneficio P. R.**: atque here, as frequently, introducing an explanatory phrase.

l. 13. **Polliceor ac defero**, 'I freely proffer as my tribute.'

l. 14. **Temploque**: sc. the rostra, so called as being solemnly inaugurated with religious rites. Cp. Liv. 8. 14, 12: 'Rostra id templum appellatum.'

l. 15. **Ad rem publicam adeunt**, 'take part in public affairs.'

l. 17. **Neque quo . . . putem**, 'nor from any thought that I am winning favour from Cn. Pompeius.' The subjunctive is used because he would imply that no such thought ever crossed his mind.

l. 19. **Amplitudine**, 'from the elevation.'

Honoribus, 'preierment,' referring in particular to the consulship, for which he was to be a candidate two years later. **Honorem** below is abstract, 'distinction.'

l. 20. **Ut . . . oportet**, 'as behoves a man.' **Praestare**, the general term, representing 'innocentia tectum repellere,' may be omitted in translation. Halm and Richter take it, 'so far as man is bound to do,' the issue really lying with the gods; but this is an unusual sense of 'ut,' and the more confident declaration of perfect trust in the shield of innocence suits the passage better.

l. 22. **Ab uno**, 'from any single individual.'

Ex hoc loco, 'from the rostra,' his ambition being not for political but for forensic fame. So he says at the close of his career (Phil. 7. 3, 7): 'Omne enim curriculum industriae nostrae in foro, in curia, in amicorum periculis propulsandis elaboratum est.'

l. 24. **Mihi susceptum est**, 'I have taken on myself: 'mihi' not expressing the agent, but the recipient of the burden. The dative is similarly used with 'suscipio' in the active voice, as in pro Cael. 16, 37: 'Mihi auctoritatem patriam severitatemque suscipio.'

l. 28. **Mihi non necessarias**. &c., 'which I might have avoided, but which are not without profit to you: 'the profit arising, not from the quarrels, but from the policy which occasioned them.

l. 29. **Hoc honore**, sc. the *praectura urbana*.

l. 32. **Meis . . . rationibus**, 'to all consideration of my personal interests.'

THE ORATION IN DEFENCE OF AULUS
LICINIUS ARCHIAS.

cc. 1, 2. Cicero begins his speech by declaring that out of mere gratitude for the benefits which he had received from the teaching of Aulus Licinius, he was bound to use his utmost efforts in order to support his claims. In such a case he felt at liberty to depart somewhat from professional usage, and not only to prove his client's legal right to be a citizen of Rome, but also to show how well he deserved the position, in virtue of his genius.

P. 57, l. 1. *Ingeni . . . exercitatio dicendi . . . ratio*, 'natural ability,' 'practical facility of speech,' and 'theoretical knowledge of rhetoric,' the three elements requisite for making a man an orator. Cp. Quint. Inst. Or. 3. 5, 1: '*Facultas orandi consummatur natura, arte, exercitatione.*'

l. 4. *A qua*, sc. *ratione*, each of the three leading ideas having its relative clause dependent on it.

l. 6. *A. Licinius*. In his exordium Cicero carefully uses only the Roman portion of his client's name, so as to assume his citizenship, without reminding the jury of his Greek origin, which the name Archias would bring before them. His *nomen* of Licinius is probably derived from one of the Luculli, perhaps the father of the conqueror of Mithridates, to whom he may have owed his admission to the citizenship at Heraclea.

l. 7. *Prope suo iure*, 'by a kind of natural right.'

l. 8. *Memoriam recordari*, 'call to mind the most remote recollections of my boyhood,' a somewhat tautological expression which finds a parallel in Orat. 1, 2: '*Veteris cuiusdam memoriae non satis explicata recordatio.*' When Archias came to Rome in B.C. 102 Cicero was only four years old.

l. 10. *Principem . . . ad suscipiendam*. The more usual construction would be '*suscipiendae rationis*,' but Cicero probably wished to avoid the concurrence of two genitives. Cp. Phil. 10. 11, 24: '*Eum principem fuisse ad conatum exercitus comparandi.*'

l. 13. *Ceteris . . . alios*. In the use of these two words he seems to imply that his services were at the disposal of all his neighbours, but that it was only some of them whose safety they could ensure. So in c. 6, 13, all his cotemporaries are represented as devoting time to their own business or amusement, only some of them as indulging in unseasonable festivity.

l. 17. *Ratio aut disciplina*, 'theoretical knowledge and training.' *Aut* is used here instead of the copulative *et*, because of the preceding negative.

l. 18. **Penitus**, 'exclusively.'

l. 19. **Humanitatem**, 'the higher culture of the mind.' *Humanitas* comprising the development of all the higher faculties which distinguish man from the lower animals. The sentiment is borrowed from Plato; cp. *de Orat.* 3. 6, 21: 'Est etiam illa Platonis vera vox omnem doctrinam harum ingenuarum et humanarum artium uno quodam societatis vinculo contineri.'

c. 2, l. 22. **In quaestione legitima**, 'in an enquiry depending on a question of statute law.' Cp. *de Orat.* 34, 120: 'Legitimarum et civilium controversiarum patrocinia.'

P. 58, l. 1. **In iudicio publico**, i.e. in a trial where the state, and not a private individual, was prosecutor.

l. 2. **Lectissimum**. This epithet merely marks the dignity of the office, and is not meant as a special compliment to the individual praetor, who was probably Cicero's brother Quintus.

l. 5. **A forensi sermone**, 'from a professional style of oratory.'

l. 9. **Hac vestra humanitate**, 'before men of your culture.'

Hoc . . . praetore. Q. Cicero is said by his brother (*ad Q. Frat.* 3. 4) to have been a better poet than himself, and we know that he composed, or more probably translated, several tragedies.

l. 12. **Otium ac studium**, 'retired and literary life.'

l. 16. **Segregandum**. With this *esse* must be supplied, in opposition to 'asciscendum fuisse,' which marks a contingency dependent on an impossible hypothesis.

c. 3. *His intellectual power was conspicuous from his boyhood, first in his native city Antioch, then in Magna Graecia, and finally at Rome, where, before he reached manhood, he could reckon all the leading patrons of literature as his friends.*

l. 18. **Ex pueris**, 'from boyhood,' an imitation of the Greek ἐκ παιδῶν, rendered perhaps necessary by its conjunction with the verb *excedo*. So *Ter. Andr.* 1. 1, 24: 'Is postquam excessit ex ephebis.' The more common Latin expression for 'from boyhood' is 'a puero' or 'a pueris.'

l. 20. **Antiochiae**. The Syrian Antioch, built by Seleucus Nicator in B.C. 300. It is not easy to see why Cicero speaks of its material prosperity as a thing of the past, as when Syria was reduced to a province in B.C. 64, the independence of Antioch was secured, and the Romans long maintained it in great splendour. Its chief literary eminence, however, seems to have been in the reign of Antiochus Philopator, B.C. 111-96.

l. 21. **Celebri**, 'populous.' The ablative, without 'in,' in apposition to the locative, is very rare. See *Madv.* 296 a, *Obs.* 2.

l. 23. **Contigit**, 'he succeeded in surpassing.' This is the only passage in Cicero where 'contigit' is construed with the infinitive, though the construction is common in the poets and later writers. See Madv. § 373, Obs. 2.

l. 25. **Adventus**, plural, marking his arrival at the various places.

Expectatio hominis, 'the general eagerness to see the man.'

l. 27. **Italia**, here apparently Magna Graecia, as opposed to Rome and the neighbouring cities of Latium. So in the next sentence, the reception of Archias in the Greek towns of Tarentum, Rhegium, and Naples, is distinguished from his welcome at Rome. At the time of his arrival there in B.C. 102, the city had recovered from the disturbances of the Gracchi, and was not yet involved in the troubles of the Social War, so that both the metropolis and the Latin towns had leisure for the cultivation of literature.

l. 31. **Civitate**; according to the recognised custom in Greek states, which never prevailed at Rome, of admitting foreigners to the rights of citizens.

P. 59, l. 1. **Absentibus**, 'before they saw him;' 'absens' being used indiscriminately for either of the parties separated from each other, and not only, as in English, of the one considered as out of sight.

l. 3. **Alter . . . alter**. Marius and Catulus had both taken part in the victorious campaign against the Cimbri and Teutoni; but whereas Catulus was not only fond of literature, but himself an author, Marius avowed utter contempt for letters, and especially for the study of Greek, as being the language of slaves.

l. 4. **Luculli**. L. Lucullus, the elder, was absent this year in Sicily, and condemned to exile for extortion on his return, whilst his sons were as yet mere boys, so that the actual reception of Archias must have been by less well-known members of his family.

l. 5. **Praetextatus**, 'wearing the *toga praetexta*,' the garb of boyhood, laid aside at the age of 14, so that the expression as applied to Archias appears to be an exaggeration of his youthfulness. It is, of course, also technically inaccurate, as applied to any but a Roman boy.

l. 6. **Sed etiam hoc, &c.** 'but this, we may add, is a proof, not only of his natural ability, &c.' The omission of the substantive verb has led to many emendations of this passage, but though unusual, it presents no real difficulty.

l. 7. **Quae . . . fuit**. The predicate of 'fuit' is perhaps to be found in the meaning of 'home' which attaches to 'domus.' 'The household which was the first home of his youth.' Some MSS. have **fuertit**, but though the subjunctive would be natural enough in a clause depending on another subjunctive, yet as the clause only expresses an actual matter of fact, the indicative is equally regular.

l. 8. **Senectuti**. Yet Archias was probably still under 60.

l. 9. **Temporibus illis**, between his arrival at Rome and his departure for Italy.

Metello. The father, who had triumphed for his victory over Jugurtha in his consulship, B.C. 109, was in B.C. 100 driven into exile for his resistance to the agrarian law of Saturninus. In the following year he was recalled, and it was for his earnestness in pleading his father's cause that the son, afterwards one of Sulla's leading adherents, received the agnomen of Pius.

l. 10. **M. Aemilio.** M. Aemilius Scaurus, consul in B.C. 115 and 107, was princeps senatus, and one of the chief leaders of the aristocratical party during Archias' first stay in Rome.

Q. Catulo. For the father, see on p. 59, l. 2. The son was one of the most upright leaders of the aristocratic party, and a firm supporter of Cicero during the Catiline plot. He was consul in B.C. 78.

l. 11. **L. Crassus**, 'eloquentium inris peritissimus' (Cic. Brut. 39. 145), one of the greatest of Roman orators, was at the zenith of his fame at this time. He died in his 50th year in B.C. 91.

Drusum. This must mean M. Livius Drusus, who was killed in B.C. 91, amid the disturbances occasioned by the agrarian law which he proposed as tribune of the commons.

l. 12. **Octavios.** The best known of the Octavii at this time was Cn. Octavius, a leader of the aristocratical party, and Cinna's colleague in the consulship B.C. 87, who was killed when Marius and Cinna entered the city. His brother Marcus is spoken of by Cicero (Brut. 62, 222), as an influential speaker, but of more weight in a public meeting than in the law courts. His son Lucius, and nephew Gnaeus, were consuls in B.C. 75 and 76 respectively.

Catonem. Probably either the father of Cato Uticensis, or his uncle who was consul in B.C. 89.

Hortensiorum. Of these the most conspicuous was the orator, but his father was eminent as praetor in Sicily in B.C. 97.

l. 13. **Adficiebatur summo honore**; i. e. by the Romans generally, as explained in the next two lines.

l. 15. **Percipere atque audire**, 'to listen to him for instruction or pleasure.'

Si qui forte, 'those, if such there were, who.'

cc. 4, 5. *After some years he came in the train of L. Lucullus to Heraclia, and was there admitted to the franchise. This entitled him, under the Lex Plautia Papiria, to be a citizen of Rome, provided that he had a domicile in Italy, and enrolled his name in the praetor's list within sixty days after the passing of the law. His citizenship at Heraclia was proved by unimpeachable testimony, in the absence of the city records, which had been burned; his name appeared in the list of*

L. Metellus, the most accurate of magistrates, and his residence at Rome was a matter of notoriety, which could be proved in many ways.

l. 17. **M. Lucullo.** It has been supposed (see Smith, *Dict. of Biog.* s.v. Archias), that the Lucullus in question was the father, and that Archias accompanied him into Sicily in his praetorship: but as that was in B.C. 102, it would not leave time for Archias to make all the friendships spoken of in Rome, nor could he well have been said (§ 8) to have had a domicile for many years in Rome. Richter, with more probability, allows him a ten years' stay there, before going to Sicily. We only know for certain that he must have been admitted to the citizenship at Heraclia before B.C. 89, the year of the *Lex Plautia Papiria*.

l. 19. **Heracliam.** Heraclia in Lucania was founded from Thurii and Tarentum conjointly in B.C. 432, and rapidly attained to great prosperity. In the war with Pyrrhus its influence proved so great that the Romans shortly afterwards granted it, in B.C. 278, a treaty of alliance on singularly favourable terms, inasmuch that in later times its inhabitants doubted long whether they would better themselves by taking advantage of the *Lex Plautia Papiria*. It has been supposed that the elder Lucullus spent his exile at Heraclia, and this would be supported by the influence possessed there by his son.

l. 23. **Silvani lege et Carbonis.** This was the law above mentioned, passed in B.C. 89, by the tribunes M. Plautius Silvanus and C. Papirius Carbo. It gave the Roman citizenship to citizens of the allied towns, ('*socii ac foederati*'), and to aliens who had been admitted to citizenship (*ascripti*) in such towns before the passing of the law, on the conditions mentioned in the text.

l. 24. **Ferebatur.** Though the law is quoted in the *oratio obliqua*, yet the indicative is retained in a clause expressing the mere date, as a fact which in no way depended on the narrator.

l. 27. **Professus est.** 'he gave in his name.' It would appear from § 9 that this could be done before any one of the praetors.

l. 28. **Nihil aliud, &c.** See on p. 52. l. 16.

l. 30. **Grati.** Nothing is known of Gratius except as the accuser of Archias.

l. 31. **Tum,** 'at the time in question.'

P. 60, l. 2. Cum mandatis, &c., 'with full credentials, and the official testimony of their city.'

l. 4. **Hic,** 'under these circumstances.' Cp. *Imp. Cn. Pomp.* 13, 39. **Italico bello,** in the Social war, B.C. 90-88.

l. 7. **Memoria . . . memoriam.** The word is here used in somewhat different meanings, as the faculty of memory, and the written record of the city archives.

l. 9. **Ea.** The testimony of upright men, and of the representatives of an honourable state.

l. 14. **Ex illa professione, &c.**, 'out of all the declarations made at that time before that body of praetors.'

c. 5. l. 15. **Appii**. This was probably Appius Claudius Pulcher, the father of Cicero's enemy P. Clodius.

l. 18. **Gabinii**. P. Gabinus Capito was propraetor in Achaia in B.C. 88, and on his return from that province was convicted of extortion.

Levitas, 'the frivolity.'

l. 19. **Resignasset**, 'had destroyed all confidence in the authority of his lists,' the metaphor being taken from removing the seal that establishes the authority of a document.

l. 20. **Metellus**. L. Metellus Pius. See on p. 59, l. 9.

l. 21. **L. Lentulum**. Of this Lentulus nothing whatever is known.

l. 22. **Litura**, 'by an erasure,' making the authenticity of the entry doubtful.

l. 25. **Praesertim cum, &c.**, 'especially as he appears on the burgess roll of other cities as well,' and therefore is not even dependent on the proof of being duly entered at Heraclia. But no proof at all appears to have been given of his enrolment elsewhere, so that really his case was bound to stand or fall with the establishment of his claim through Heraclia.

l. 27. **Gratis**, if the word be genuine, which is doubtful, probably means, 'without any real claim on their part.'

In **Graecia**, probably in the mother country. If the old Greek states were so liberal in granting the freedom of their cities, the Italian colonies were not likely to be more particular.

l. 28. **Credo . . . noluisse**. In this ironical sense 'credo' is more generally used parenthetically, so as not to affect the construction.

l. 30. **Solebant**. The indicative, as expressing a historical fact which was independent of the contents of the main sentence. See *Madv.* § 369.

l. 32. **Post legem Papiam**. A Lex Papia, passed probably in B.C. 65, banished all aliens from the city.

l. 33. **Illis**, the registers of the other cities.

P. 61, l. 2. **Census nostros**, 'the roll of Roman citizens.' As this only contained the names of those who were present in Rome at the census, the name of Archias would naturally, he says, be absent from it.

Scilicet, 'a modest request:' 'I don't wonder at your asking for them;' a repetition of 'requiris' being understood with 'scilicet.'

l. 3. **Proximis censoribus**, viz. L. Gellius Poplicola and Cn. Lentulus Clodianus, censors in B.C. 70; there having been no censors in B.C. 65, owing to the abdication of Q. Catulus. In B.C. 70 Archias was in the suite of L. Lucullus, in the campaign against Mithridates, not actually serving in the army, and so 'apud exercitum,' not 'in exercitu.'

l. 4. **Superioribus**. These were L. Marcius Philippus and M.

Perperna, in B.C. 86, the censorship having been at any rate in abeyance during the dominion of Sulla.

l. 5. *Primis*, i.e. the first after Archias' admission to the citizenship by the *Lex Plautia Papiria*. The influx of new citizens, who were enrolled in eight new tribes, seems to have led to the appointment of extraordinary censors, P. Licinius Crassus and L. Julius Caesar in B.C. 89; though the present passage seems to show that they did not carry out their work, and that the actual enrolment of the new citizens was postponed till B.C. 86, when Archias was away from Rome.

l. 6. *Quoniam census, &c.* In the absence of the 'census,' we can supply its place by other evidence which is equally cogent. For the 'census' only proves that those enrolled held the position of citizens, and this is equally proved in the case of Archias by his making a will, succeeding to legacies, and being honourably mentioned for service in the campaign.

l. 10. *Testamentum saepe fecit*. None but Roman citizens could either make or witness wills affecting Roman property.

l. 11. *Adiit hereditates*. '*Hereditatem adire*' or '*cernere*' was the technical term for taking possession of property left by will. This was optional with all except '*heredes necessarii*,' i.e. slaves or children *in manu testatoris*, who were bound to accept what was bequeathed to them, however much it might be encumbered.

In beneficiis, &c., 'had been recommended to the treasury for promotion or reward.' It was usual for generals and governors to make such recommendations in favour of their principal officers on their return from their province; and we learn from Cicero (*Fam.* 5. 20. 7), that they were required to send in their lists within thirty days after rendering their accounts.

l. 12. *Pro consule*. The consulship of Lucullus ended with his first campaign against Mithridates in B.C. 74, but he did not return to Rome till B.C. 66, having held the rank of *praconsul* in the meantime.

c. 6. l. 14. *Revincetur*, 'he proved to be no citizen.' With this chapter ends the argument of the speech, the remainder of the oration being merely panegyric on Archias.

cc. 6, 7. *The reason why Cicero was so zealous in supporting Archias was that he found in his society just that intellectual refreshment which best supported him through his labours, and furnished him with the powers needed for his work. Were it not for his own literary pursuits, his advocacy would be generally meagre and inadequate. It was indeed quite possible to be virtuous without a liberal education, yet the most perfect men were those whose natures, noble in themselves, were exalted and refined by the study of letters and philosophy.*

l. 16. *Delectemur*; the plural, as referring to the bar generally.

Suppeditat nobis ubi, 'he supplies us with material whereby.' Cp. de Orat. 1. 57, 243: 'Cum multa colligeres . . . ubi . . . confici nihil potest.'

l. 17. **Convitio**, 'with the squabbling of litigants.'

l. 22. **His studiis**, 'literary pursuits.'

Se ita litteris abdiderunt, 'have so buried themselves in books.' 'Litteris' is probably the dative, marking that in which the student finds repose: though it might be, as Richter thinks, the ablative of the instrument. The more ordinary expression is 'in litteras se abdere.'

l. 26. **Tempore**, 'any crisis in any man's life.' Cp. de Imp. Cn. Pomp. 1, 1: 'Omne meum tempus amicorum temporibus transmittendum putavi.'

Aut commodo. See on p. 57, l. 17.

l. 29. **Ceteris . . . alii**. See on p. 57, l. 13.

l. 32. **Temporum**, 'of their intervals of leisure.' The plural, because he is speaking of portions of time, occurring at intervals.

Tempestivis conviviis, 'to prolonged banquets;' the epithet being applied to feasts which either began before or were continued after the usual hours. It perhaps means primarily banquets to which full allowance of time was given.

l. 33. **Alveolo**, 'the gaming table;' strictly the board on which the dice were thrown.

P. 82, l. 4. **Quae** refers to his powers of oratory; **illa** to the literary studies of which he had been speaking, and for which he was indebted to Archias and other Greek writers.

l. 8. **In ea**, sc. 'honestate,' 'honour,' to which 'laus' would attach itself as effect to cause.

l. 10. **Pro salute vestra**, as in defeating Catiline, the type and leader of the profligate men spoken of below.

l. 11. **Profligatorum**. See on p. 7, l. 15.

l. 12. **Pleni**, 'full of the precepts, &c. alluded to above.' **Exemplorum** below depends, not on **plena**, but on **vetustas**: 'time honoured precedents.'

l. 14. **Litterarum lumen**, 'unless the light of literature were brought to bear on it.'

l. 17. **Expressas**, 'drawn to the life;' a metaphor taken from modelling. Cp. Hor. A. P. 32:

'Faber unus et unguis

Exprimet, et molles imitabitur aere capillos.'

l. 22. **Litteris proditae sunt**, 'have been preserved in the records of literature,' 'litteris' being an instrumental ablative. Cp. Planc. 39, 94: 'Haec monumenta nobis litterae prodiderunt.'

c. 7. l. 23. **Difficile est**, 'it would be difficult;' the difficulty being

represented as actually brought to the test. So 'longum est,' 'it would be tedious.' See *Madv.* § 348 e, *Obs.* 1.

l. 26. *Habitu*, 'disposition.'

Moderatos et graves, 'of temperate and solid character.'

l. 29. *Atque idem*, 'and at the same time;' without forfeiting my consistency. For the sentiment cp. *Hor. Od.* 4. 4, 33:

*Doctrina sed vim promovet insitam,
Rectique cultus pectora roborant.'*

l. 33. *Africanum*, the younger Scipio, whence he is distinguished by 'hunc.' His friendship with C. Laelius, which is celebrated in the treatise *de Amicitia*, naturally leads to their association here. *L. Furius Philus*, their cotemporary, was equally devoted to the study of Greek literature, and is one of the interlocutors in Cicero's treatise *de Republica*.

P. 63, l. 2. *M. Catonem*, the censor.

l. 4. *Adiuvarentur*, 'had they not derived continual assistance:' the imperfect marking that the aid was not confined to a single occasion.

l. 7. *Animi adversionem, &c.*, 'you would pronounce this mode of employing the mind most appropriate at once to a man and to a free-born citizen.'

l. 10. *Agunt*, 'give an impulse to.' Kayser, following Halm, reads 'alunt,' 'foster;' but this does not give an equally good antithesis to 'oblectant,' and rests on no MS. authority.

l. 13. *Rusticantur*, 'go with us to our country homes.'

cc. 8, 9. *The excellence of Archias as a poet was well attested, and would in itself be sufficient to earn him a place among the citizens of Rome. But when to this was added that all his genius was devoted to singing the glories of his adopted country, the jury would be false to their very instincts as men, and to all their national traditions, if they repudiated his just claims to be a citizen.*

l. 16. *Agresti*, 'so rude and harsh a spirit.'

l. 17. *Roscii morte*. The great comedian, the date of whose death is only determined by this passage.

l. 19. *Ergo ille, &c.* An argument *a fortiori*, expressed in a form which recurs repeatedly in this oration; the premiss and conclusion being placed side by side without connecting particle, and the latter not directly stated, but its contradictory pointed out interrogatively as an absurdity. Cp. c. 8, 19; c. 9, 19; c. 10, 22 and 25.

l. 23. *In hoc novo genere*, in which I am wandering so far from the point.

l. 27. *Ex tempore*, 'off-hand:' illustrating the inspiration to which, rather than to study, Cicero ascribes his powers.

1. 19. **Veterum scriptorum**, 'the classics.'
 P. 64, l. 2. **Suo iure**, 'of natural right,' as in c. 1, 1.
1. 3. **Sanctos**, not 'sacros,' the latter implying dedication to a deity, whereas the poet is represented as deriving his sanctity from the favour of the gods.
1. 5. **Vos, humanissimos homines**, 'men of your culture.'
1. 7. **Saxa et solitudines, &c.**, referring to the myths of Amphion and Orpheus.
1. 9. **Colophonii, &c.** Cp. the Epigram quoted by Aul. Gell. 3, 11:
 Ἐπὶ πόλεις διερίζουσι περὶ ρίζαν Ὀμήρου,
 Σμύρνα, Ῥόδος, Κολοφῶν, Σαλαμῖν, Ἴος, Ἄργος, Ἀθῆναι.
1. 12. **Delubrum**. Strabo mentions having seen τὸ Ὀμήρειον in Smyrna, *στοὰ τετράγωνος ἔχουσα νεῶν Ὀμήρου καὶ ξύανον*.
- c. 9. l. 14. **Alienum**, as he must have been to six out of the seven.
1. 16. **Praesertim cum**, rather fits on to the positive idea, 'do we not *claim*?' implied in 'repudiamus,' than to its literal meaning. It may be translated 'and, that though.'
1. 18. **Cimbricas res**, the campaign of Marius and Catulus in b.c. 102.
1. 19. **Durior**. See on p. 59, l. 3.
1. 22. **Facile**, adverbial, 'without taking offence.'
1. 24. **Acroama** is more commonly used in Latin of the singer than of the song. Here it might be either, but 'song' appears to give better sense, as marking a question more distinct from 'cuius vocem.' In either case the answer of Themistocles only applies strictly to the latter part of the question. 'What theme or whose voice he listened to with the greatest pleasure.'
1. 26. **L. Plotium**. Probably L. Plotius Gallus, who in b.c. 88 set up the first school of rhetoric that was established in Rome.
1. 27. **Mithridaticum bellum**. Apparently, from the details which Cicero subsequently gives, only the first portion of the second Mithridatic war, before Pompey assumed the command in b.c. 66.
1. 29. **Qui libri**, sc. the books implied in the statement that Archias wrote the history of the war.
1. 32. **Aperuit . . . Pontum**, 'qui antea populo Romano ex omni aditu clausus fuisset' (de Imp. Cn. Pomp. 8, 21).
1. 33. **Natura et regione**, 'by the natural character of the district.' For the Hendiadys Halm compares Fam. 1. 7, 6: 'Eam esse naturam et regionem provinciae tuae.'
- P. 65, l. 2. **Armeniorum**, under Tigranes, before Tigranocerta, Oct. 6, b.c. 69. Lucullus' whole forces for the campaign were 15,000 foot and 3,000 horse, whereas Tigranes had an army of 150,000 foot, and 50,000 horse, beside 20,000 light-armed troops.
1. 3. **Cyzicus** was besieged by Mithridates in b.c. 74, but he in turn

was blockaded by Lucullus, and obliged to raise the siege for want of supplies. The expression 'from the very jaws of war' marks the extremity of the danger.

l. 4. **Belli ore.** Cp. II. 19. 213: *πολέμου στόμα δόμεναι.*

l. 7. **Pugna navalis**, in which Lucullus destroyed the fleet of Mithridates, commanded by the Roman senator M. Varius, in B.C. 73.

l. 8. **Quae.** For the use of the neuter see *Madv.* 214 b.

l. 11. **In sepulcro Scipionum.** Cp. Liv. 38. 56: 'Romae extra portam Capenam in Scipionum monumento tres statuae sunt: quarum duae P. et L. Scipionum dicuntur esse, tertia poetae Q. Ennii.' The tomb of the Scipios is still to be seen, about $\frac{3}{4}$ of a mile outside the Porta Capena, on the Appian way, but the sarcophagi have been removed to the Vatican Museum. Africanus however himself was not buried there but at Liternum. See Liv. 38. 53. Ennius was two years younger than Scipio, having been born at Rudiae in Calabria in B.C. 232.

l. 12. **Eis laudibus**, sc. the poems of Ennius in honour of Scipio.

l. 13. **Huius**, i.e. of Cato Uticensis, who may probably have been present in court. His great-grandfather, Cato the censor, first brought Ennius to Rome.

l. 15. **Omnes.** The generals to whom he specially refers are Q. Fabius Maximus Cunctator, 'qui nobis cunctando restituit rem' (Enn. ap. Cic. Cat. Ma. 4, 10), famous for his defensive strategy against Hannibal; M. Claudius Marcellus, who took Syracuse in B.C. 212; and M. Fulvius Nobilior, whom Ennius accompanied in his victorious campaign in Aetolia, B.C. 189, see c. 11, 27; and through whose son Quintus he obtained the citizenship.

c. 10. l. 17. **Rudinum**, a native of so obscure a place as Rudiae, not even a 'civitas foederata.'

c. 10. *The fact that Archias wrote in Greek made his panegyrics more enduring and of wider fame; and had he not been a citizen already, he might easily have obtained this privilege from one or other of the generals whose praises he had sung.*

l. 21. **Nam.** For there is no force in the obvious objection that Ennius was a Latin poet, while Archias writes in Greek. For Cicero's argument cp. Lord Bacon, letter to Sir Toby Mathew: 'It is true my labours are now most set to have those works which I have formerly published . . . well translated into Latin by the help of some good pens which forsake me not. For these modern languages will at one time or other play the bankrupt with books; and since I have lost much time with this age, I would be glad, as God shall give me leave, to recover it with posterity.'

l. 23. **Suis finibus**, i. e. within Latium itself, to which at present the Latin language was still mainly confined.

l. 28. **Ampla**, 'honourable in a high degree.'

l. 29. **Incitamentum** does not appear to be used elsewhere till the post-Augustan period.

l. 30. **Quam multos**. Both poets, such as Choerilus (see Hor. *Ep.* 2. 1, 232), and historians, the most eminent of whom was Ptolemaeus Lagi, afterwards king of Egypt.

l. 32. **In Sigeo**. A mound is still shown as the tomb of Achilles on the promontory of Sigeum in the Troad.

l. 33. **O fortunate, &c.** Richter compares Plut. *Alex.* 15: *μακαρίσας αὐτὸν ὅτι καὶ ζῶν φίλου πιστοῦ καὶ τελευτήσας μεγάλου κήρυκος ἔτυχεν.*

P. 66, l. 1. **Inveneris**. The subjunctive, because of the causal force of **qui**.

l. 3. **Magnus**, sc. Pompey, distinguished from Alexander 'the Great,' as 'noster hic' from 'magnus ille.' At the time of the trial Pompey was still in Pontus.

l. 4. **Theophanes** was an intimate friend of Pompey from the time of the Mithridatic war till his death. It was probably in the present year that he received the citizenship as here described. He wrote a history of Pompey's campaigns, in which truth was continually sacrificed to the necessity of eulogizing his hero.

l. 6. **Rustici ac milites**; and so not likely, either from birth or profession, to care much for mere literary excellence.

l. 9. **Ab aliquo imperatore**. Either through his influence with the people, as in the case of Ennius, or by an unconstitutional usurpation of power, such as was assumed by Pompey and Sulla, and other arbitrary leaders.

l. 10. **Potuit**. See on p. 47, l. 12.

l. 11. **Hispanos et Gallos**. Cp. pro Balb. 22. 50, where Cicero speaks of Aristo of Massilia, and one or more citizens of Gades (the reading is doubtful), as presented with the citizenship by Sulla.

l. 13. **Poeta de populo**, 'a poet of the people.' Cp. Brut. 34, 131: 'Accusator de plebe.'

Subiecisset, 'reached up to him,' as he sat on the tribunal.

Quod epigramma, 'consisting of an epigram which he had made.' Grammatically the antecedent of 'quod' is 'libellum,' the relative being attracted into the gender of 'epigramma,' which is attached to 'fecisset' as an explanatory predicate. That the clause is not 'because he had composed an epigram in his favour,' is proved by the use of 'eum' instead of 'se.' The mood of 'fecisset' is due to its dependence on 'vidimus . . . iubere.'

l. 14. **Alternis versibus longiusculis**, 'in elegiacs which somewhat exceeded the metre.' **Tantummodo**, 'without further elaboration.'

l. 15. **Quas tunc vendebat.** Confiscated goods, sold by auction under his directions.

Iubere. The accusative with the infinitive is comparatively rare after video in Cicero, though common in poetry and later prose.

l. 17. **Tamen** refers especially to 'mali,' 'in spite of his badness.'

l. 20. **Per Lucullos.** L. Metellus Pius (see on p. 59, l. 9), was first cousin to the Luculli, their mother Caecilia being his father's sister.

l. 22. **Corduba,** the modern Cordova, in Hispania Baetica, became more noted for its contributions to later literature, as the city of the Senecas and Lucan. It is not known who these 'unctuous and outlandish' poets were of whom Cicero here speaks.

cc. 11, 12. *The love of fame, cotemporary and posthumous, was a natural and laudable instinct, and Cicero was not above feeling additional interest in Archias, when he considered that the events of his own consulship might be made immortal by his poems. On all grounds therefore, because of his personal and literary merits, because of his well established legal claims, and out of gratitude for the fame which he had conferred upon the Roman people, he urged them to retain Archias among them as a citizen.*

l. 26. **Optimus quisque, &c.,** 'the nobler a man is, the more he is influenced by fame.' See on p. 11, l. 25.

l. 28. **In eo ipso,** 'in the very representation in which they proclaim their contempt for panegyric and notoriety they desire to have their fame and name preserved.' **Nobilitas** seems to be used here as cognate to **nominari**, as **praedicatio** to **praedicari**. The difference in the construction of the two verbs is noticeable. We can say 'nominare aliquem,' but 'praedicare aliquid de aliquo;' hence in the passive 'nominari' can, while 'praedicari' cannot be used with a personal subject.

l. 30. **Decimus Brutus,** called Gallaeus for his victories over the Spanish tribe of that name in B.C. 137, was the grandfather of Decimus Brutus, one of Caesar's assassins. He was specially panegyrised by Attius in a tragedy called Brutus.

l. 31. **Templorum.** The elder Pliny tells us of a temple which this Brutus built to Mars near the Circus Flaminius (N. H. 36. 5, 26).

l. 33. **Fulvius.** See on p. 65, l. 15. The temple which he built to Hercules and the Muses was just to the south of the Circus Flaminius. It derived its name from some famous terra cotta statues of Hercules playing on the lyre, and of the Muses by Zeuxis. See Burn, Rome and the Campagna, p. 312.

P. 67, l. 2. Prope armati, 'fresh from the scene of war.'

l. 4. **Abhorrere,** 'to shrink from ministering to.'

l. 6. **Quodam,** 'some little love of fame;' 'quodam' somewhat

softening the expression, as though Cicero's love of fame were not worth dwelling on explicitly.

l. 7. **Honesto**, 'honourable.'

l. 8. **In consulatu nostro**, B. C. 63. He refers of course to the Catiline conspiracy.

l. 10. **Inchoavit**. It does not appear that this poem was ever finished.

l. 12. **Adornavi**, a conjectural reading, perhaps means 'I supplied with subject matter.'

l. 13. **Hanc**, 'the aforesaid.'

l. 15. **In laboribus**. The preposition points out the toil as the sphere of operations, rather than the means by which we keep our bodies employed.

l. 20. **Nunc**, 'as matters really stand.'

l. 23. **Dimittendam**, 'we ought not to let it pass into oblivion.'

c. 12. l. 25. **Parvi animi**, 'of such limited capacity.' Cicero comparatively seldom uses the genitive of quality, and for the most part only in reference to some part of the subject which cannot be separated from it even in idea. So 'parvi animi,' but 'pudore eo' in § 31. See *Madv.* § 287, Obs. 2.

l. 29. **Statuas et imagines**. **Statuæ** are statues, such as would be placed for the most part in temples and public places; **imagines** busts and portraits. The word is especially used of the wax busts of their ancestors which the Romans kept in their atria, but here it has evidently a wider signification.

l. 32. **Summis ingeniis**, 'by men of the highest talent;' a use of the abstract for the concrete commoner in later writers than in Cicero.

Expressam et politam, 'drawn to the life with all the polish of which it admits.'

Quæ gerebam, 'referring especially to the exploits of his consulship.'

l. 33. **In gerendo**, 'in the midst of doing them.'

P. 68, l. 2. **Haec**, this remembrance of my name. It will be seen from passages like this how very dim was Cicero's conception of a future life. Experience shows that a man's fame may remain behind him, but Cicero cannot feel sure that the man himself will then be any the better for it, though he thinks that probably he may to some extent be conscious that he is not forgotten. See on p. 74, l. 21.

l. 3. **Sapientissimi homines**, Socrates and Plato, at any rate, had a more vivid realization of the probability of consciousness after death than is shown here by Cicero.

l. 4. **Mei**, 'of my very self.'

l. 6. **Pudore, &c.**, 'of an honourable character, sufficiently attested at once by the high qualities of his friends and the duration of their

friendship.' In c. 3, 5, he instances the Luculli as an example of both characteristics.

l. 11. *Tabulis Metelli.* Cp. c. 5, 9, note.

l. 13. *Divina.* The only proof that the gods were on his side appears to lie in the fact that he was a poet, and as such 'quasi divino quodam spiritu inflatus.'

l. 17. *Profitetur;* in his forthcoming poem *De Ciceronis Consulatu.*

l. 18. *Itaque* = 'sanctique,' 'ita' being often so used to avoid repetition.

l. 19. *In vestram fidem,* 'under your assured protection.'

l. 22. *Probata esse omnibus,* 'have approved themselves, even while I spoke, to all of you.' The dative expresses the effect on their minds, rather than any active process of approval on their own part, which would have been expressed by 'ab omnibus.' Both constructions are common in Cicero.

l. 23. *Quæ autem remota a mea, &c.* This is a conjectural emendation adopted by Kayser of a hopeless reading, 'quæ firme a me,' for which almost all modern editors have introduced something similar in meaning to the reading in the text. What is wanted is evidently an antithesis to 'de causa,' 'relevant to the case,' that shall fit in with 'iudicialique consuetudine,' but the exact reading of the original must remain uncertain.

l. 24. *Communiter de ipsius studio,* 'generally on the art of poetry, which he represents.'

l. 25. *In bonam partem accepta,* 'taken in good part;' lit. 'received and placed upon the side of good.'

THE NINTH PHILIPPIC ORATION.

c. 1. *In proposing that a statue should be erected in memory of Ser. Sulpicius, who had died on a mission to Antonius, Cicero expresses his deep sense of the loss which the embassy had sustained in the death of the oldest and wisest of its members. He points out that Sulpicius had started with the full conviction that it would cause his death, and had therefore more truly sacrificed his life for his country than those who had on former occasions received the same honour of a statue.*

P. 71, l. 1. *Patres conscripti.* This expression, condensed for 'patres et conscripti,' like 'populus Romanus Quirites,' originally expressed the two classes of the senate in the early days of the Republic, the remains of the old regal senate, and the new members admitted by Brutus to fill up vacancies after the expulsion of Tarquinius. It soon came to be used as a single expression for 'senators,' and may be translated 'my lords.'

l. 3. **Legationem renuntiare**, 'to report the issue of his embassy;' cp. 6. 6, 16: 'Cum enim legati renuntiarent, quod certe renuntiabunt.'

l. 5. **Non quo . . . defuerit**. See on p. 54, l. 17.

L. Philippo et L. Pisoni. His two colleagues in the embassy; see Introduction.

l. 6. **In tanto officio tantoque munere**, 'in performing duties so arduous and services so important.' The original difference between these two words, so constantly combined by Cicero, seems to be that 'officium' represents an act as binding on the doer, 'munus' as beneficial to some other person or persons.

l. 7. **Illos . . . omnes**. Cicero uses **anteire** both with the accusative and the dative, but the former is more common with him.

l. 8. **Ereptus e causa**, 'the sudden loss of his services in the commission.' 'Causa,' though more generally used of pleading in a court of law, is sometimes extended to any more general commission: cp. Verr. Act. 2. 3. 73, 170: 'Aeneas, cui senatus dederat publicam causam, ut mihi gratias ageret.'

l. 9. **Si cuiquam**. For the use of 'quisquam' in affirmative sentences see Madv. § 494 b.

l. 12. **Ad incertum, &c.**, 'to meet the various ordinary risks of life, with no especial ground for apprehending death.'

l. 14. **Cum ita adfectus esset, &c.**, 'though in such a state of health, as to feel his danger imminent.' Cp. Att. 14. 17, 2: 'L. Caesari, quem pridie Neapoli affectum graviter videram.'

l. 16. **Si . . . posset**. For the use of 'si' in dependent questions, after words which signify an attempt, see Madv. § 451 d.

l. 20. **Eius**, sc. of Antonius.

P. 72, l. 2. Nihil praeter sententiam, 'I should give my vote without further words.' 'Sententia' was the formal vote, either of the senate as a body, or of the individual senator. The usual mode of taking the votes in the Roman senate was for the consuls to ask each man severally how he meant to vote. On being asked his vote he had the right to speak, and so we find most of Cicero's speeches in the senate ending with a formal declaration of his vote, introduced as a rule by the word 'censeo.' So **censuit** in this same sentence means 'declared his deliberate opinion to be.'

l. 11. **Consilium**, 'the spirit of their resolutions.'

cc. 2, 3. *The envoys slain by Lars Tolumnius, and Cn. Octavius who was assassinated on an embassy to Antiochus, had fallen in the service of their country, but Sulpicius had gone to face an almost certain death, allowing no precautions for his health even to delay his exertions in performing what he felt to be his duty.*

l. 13. *Legatos interemit*. In B.C. 438. See Livy 4. 17. Livy and Pliny (N. H. 34. 6, 23) both call the envoy Cloelius Tullus instead of Cluvius, and Pliny has the name 'Nautius' instead of 'Antius.'

l. 17. *Cn. Octavii*. Octavius was killed when on an embassy to Antiochus V, the son of Epiphanes, in B.C. 162, to enjoin obedience to the terms of the treaty made with his grandfather, Antiochus the Great. He was consul in B.C. 165. Four of his descendants also gained the consulship.

l. 20. *Novitati*, 'his want of noble birth.' 'Nobilitas' at Rome consisted in being descended from some man who had held a curule office.

l. 26. *Laudiceae*. *Laudicea ad Mare* was on the coast of North Syria. It was one of five cities of the name which were built by Seleucus Nicator, and called after his mother.

Leptine. Leptines was subsequently sent as a prisoner to Rome by Demetrius Soter, but the Romans refused to take vengeance on an individual for what they considered to be a national crime.

l. 28. *Honestaret . . . restat*. The subjunctive marks the object of erecting the statue, the indicative a simple historical fact, adding additional interest to it.

l. 32. *Obita*. This use of a passive participle from the intransitive verb 'obeo,' though following naturally from such expressions as 'obire mortem,' is rare, and mostly found in later poetry. Cp. however pro Sest. 38, 83: 'Quos a maioribus nostris morte obita positos in illo loco atque in rostris conlocatos videmus.'

c. 3. P. 73, l. 2. *Non monumento, &c.*, 'should be marked, not by a monument, but by public demonstrations of mourning.' Cp. pro Sest. l. c.: 'Cuius mortem orandam monumento sempiterno putaretis.'

l. 7. *Dissimilem . . . sui*. 'Similis' and 'dissimilis,' though construed both with the genitive and with the dative, almost always in the best writers take a genitive of living beings, especially of gods and men. See Madv. § 247 b, Obs. 2.

l. 11. *Qua*, sc. 'via,' 'on the road by which he journeyed.' Cicero hardly ever uses 'qua' simply as a local adverb, equivalent to 'ubi,' but only when 'via' or 'ratione' may be readily supplied.

l. 15. *Properans, festinans*. The former word relates rather to the eagerness of mind, the latter to the speed of body.

l. 18. *Erant . . . constituta*, 'received their sanction from the authority and vote of Servius Sulpicius.'

l. 20. *Auctorem senatus*, 'the senate's representative:' cp. pro Flacc. 15, 36: 'Praeclarus iste suae civitatis auctor.'

l. 24. *Ad posteritatis memoriam, &c.*, 'I consider that our credit with posterity is involved in the consideration.'

l. 27. *Honoris memoriam*, 'the record of a public honour.'

cc. 4, 5. *The senate itself could not escape the charge of having caused the death of Sulpicius, by setting aside the excuses which he urged for exemption from this service. It had made the interests of the state a higher consideration than his life, and was thus peculiarly bound to pay him honour in his death. This was due to his friends, and especially to the exemplary filial piety of his son, who was himself the best memorial of his father's virtues. The memory of his life was sufficiently secured by his excellence, and his unequalled legal skill and judgment, so that this statue would only be a monument of his death, and of the senate's gratitude.*

l. 28. *Excusationem . . . legationis obeundae*, 'his plea for declining the commission of ambassador.' This is a rare construction with 'excusatio,' the genitive being more generally used with it to signify the substance of the excuse. We find, however, 'excusatio peccati,' Lael. 11, 37; 'excusationes iniuriae,' pro Sull. 16, 47.

l. 29. *Nulla dubitatio, &c.*, 'there will be no further hesitation about repairing the wrong, &c.' In this sense of hesitating about a course of conduct to be pursued 'dubito' and its cognate words are more commonly used with the infinitive; but cp. Cn. Pomp. 23, 68: 'Nolite dubitare quin huic uni credatis omnia.'

l. 33. *Re magis, &c.*, 'enforcing the plea of illness by his looks more than by his words.'

P. 74, l. 7. *Tum vero* commonly marks the climax towards which the previously narrated circumstances have been working.

l. 8. *Seduxit*. 'Seduco' is especially used of taking aside for private conversation.

l. 11. *Singulari pietate*, the descriptive ablative, not dependent upon 'movebatur.' 'His son, a man of singular affection for his father, was deeply moved.'

l. 14. *Omnium vestrum*, the subjective genitive, 'proceeding from all of you.'

l. 15. *Eius sententiae*, the proposal that ambassadors should be sent to Antonius.

l. 17. *Prosecuti sumus*, 'we set him on his way,' προεπέμψαμεν.

c. 5. l. 21. *Vita enim mortuorum, &c.* Cp. Cat. Ma. 13, 82: 'Nescio quo modo animus erigens se posteritatem ita semper prospiciebat, quasi cum excessisset e vita, tum denique victurus esset.' So far was Cicero however from holding that men had no personal existence after death, that in the passage quoted he is arguing from the instinctive desire which men feel to live 'in the remembrance of posterity,' to the conclusion that after death we shall necessarily be conscious of the opinion which men hold of us. Cp. de Imp. Cn. Pomp. 12, 30.

l. 29. *Nec vero silebitur*. For the transitive use of 'sileo' cp. Att. 2, 18, 3: 'Tu hoc silebis;' and Ov. M. 12, 575:—

'Nec tamen ulterius quam fortia facta silendo
Ulciscar fratres.'

And for the estimate of the legal eminence of Sulpicius, cp. *de Legg.* 1. 5, 17: 'Sit ista res (iuris disciplina) magna, sicut est, quae quondam a multis claris viris, nunc ab uno summa auctoritate ac scientia sustinetur.'

l. 31. *Aequitate*, the application to individual cases of the principle rather than the letter of the law; the Greek *ἐπιείκεια*, defined by Aristotle (*Eth. N.* 5. 10, 6) as *ἐπανόρθωμα νόμου, ἧ ἑλλείπει διὰ τὸ καθόλου*, 'the rectification of law, where it fails through being couched in general terms.'

P. 75, l. 1. *Iuris consultus, &c.*, 'more skilled in the letter than the spirit of the law.' The ordinary expression for a jurist is '*iure consultus*,' but here stress is laid on the participial force of '*consultus*,' and the subject matter of the skill is therefore expressed in the genitive.

l. 3. *Facilitatem*, properly 'readiness to listen,' seems here, from its conjunction with '*aequitas*,' to mean 'willingness to admit arguments from special circumstances,' such as might prevent the rigorous application of the letter of the law. 'Arguments which started from the letter of our statutes and the common law were invariably referred by him to the standard of tolerance and equity.' So '*facilitas*' is joined with '*humanitas*,' *Fam.* 13. 24, 2: '*Pro tua facilitate et humanitate purgatum se tibi scribit esse.*'

Neque . . . malebat. He thus showed himself in contrast to the general class of '*iureconsulti*,' according to Cicero's estimation of them. *Cp. pro Mur.* 12, 27: '*Cum permulta praeclare legibus essent constituta, ea iureconsultorum ingeniis pleraque corrupta ac depravata sunt.*'

l. 6. *Illa, &c.*, 'those other greater monuments will form a memorial of his noble life.'

l. 7. *Hoc magis, &c.*, 'this will bear witness rather to the gratitude of the senate than to the greatness of the man.'

l. 12. *Doluerit . . . maeret*, 'that no one has ever felt more grief for the loss of an only son than he shows for the death of his father.' For this distinction between '*doleo*' and '*maereo*' cp. *Att.* 12. 28, 2: '*Maerorem minui, dolorem non potui, nec si possem, vellem.*'

l. 15. *Relinqueret potuit*, 'could have left.'

Effigiem, 'the reproduction.'

c. 6. *The form of monument, a pedestrian statue of brass, was just what Sulpicius himself, with his characteristic moderation, would have wished. Nor could Cicero fear opposition on the part of those who had proposed the greater and more permanent memorial of a public funeral: while he rejoiced that by the same vote a well-earned honour would be paid to Sulpicius, and another brand of infamy impressed on Antonius.*

l. 19. *Si qui est sensus, &c.* In *Lael.* 4. 13, he expresses less doubtfully his views of the consciousness of the soul after death: '*Neque*

enim adsentior eis, qui nuper haec disserere coeperunt, cum corporibus simul animos interire atque omnia morte deleri.'

l. 21. **Primum.** See Phil. 2. 44, 114. The gilding must have been the innovation, since Livy records an equestrian statue of Cloelia, placed on the Via Sacra, as early as B.C. 506 (Livy 2. 13).

l. 22. **Insolentiam,** 'extravagance' which passes all the bounds of precedent and authority; cp. Or. 52, 176: 'Gorgias festivitatis insolentius abutitur, quas Isocrates moderatius etiam temperavit.'

l. 23. **Ut . . . si.** Cp. Fam. 2. 14: 'Eius negotium sic velim suscipias, ut si esset mea.'

l. 26. **Minuet.** Cp. Pliny Ep. 2. 7, 7: 'Si defunctorum imagines domi positae dolorem nostrum levant, quanto magis eae, quibus in celeberrimo loco non modo species et vultus illorum, sed honor etiam et gloria refertur.'

l. 27. **P. Servilii.** P. Servilius had proposed that the body of Servius Sulpicius should be buried with a public funeral, but had opposed the erection of a statue in his honour. Cicero argues that he thereby granted the greater honour, and that it was then absurd to object to the less distinction of a statue.

P. 76, l. 3. Sepulchrorum, &c. The ground being consecrated by the usual rites and sacrifices. See de Legg. 2. 22, 55 foll. Till this was done, Cicero tells us that the resting-place of the corpse was only 'situs,' not 'sepulchrum.' Cp. also Tusc. 1. 12, 27.

l. 4. **Exstinguntur.** All the MSS. spell this with one 'u,' and it is in itself the more probable orthography, as the Romans specially objected to the concurrence of 'uu' in the same syllable.

l. 6. **Isto honore,** 'with the honour already proposed to you;' sc. of a public funeral.

c. 7. *He concludes with a formal motion, that Servius Sulpicius should be buried at the public expense on the Esquiline, and that a brazen statue should be erected on the Rostra in his honour, with a space of five feet on each side reserved for his posterity for ever.*

l. 12. **Censeo.** See above, on c. 1, 3.

l. 13. **Lemonia,** 'of the tribe Lemonia,' which was one of the original sixteen country tribes. For the formula cp. Verr. 1. 8, 23: 'Q. Verrem Romilia;' ib. Act. 2. 2. 43, 107: 'C. Claudius C. F. Palatina.'

l. 24. **Huius ordinis,** sc. the senate.

l. 25. **Ludis gladiatoribusque.** This is probably a hendiadys for 'ludis gladiatoriiis,' since these were the only exhibitions held in the forum.

l. 26. **Quoquo versus,** 'in every direction from the statue;' and thus expressive of a different mode of measurement from 'pedes xxx quoquo versus' in § 17; which means 'thirty feet square,' in each direction in

which ground is usually measured, that is 'in fronte' and 'in agrum.'
Cp. Hor. S. I. 8, 12:

'Mille pedes in fronte, trecentos cippus in agrum
Hic dabat.'

l. 28. **Utique . . . imporent.** The change of construction is noticeable, this clause being exactly co-ordinate with the preceding one, where the resolution is expressed by the accusative with the infinitive, 'statuam . . . statui.' Either construction is admissible after 'placet,' and their combination is probably due to the desire for variety in so long a dependent clause.

Si eis videatur. These words are commonly inserted in such resolutions, to save the discretion of the magistrates concerned.

l. 29. **Quaestoribus urbis.** These are more generally called 'quaestores urbani.' The duty would fall on them as keepers of the public treasury.

l. 31. **Redemptori,** 'to the contractor.'

Attribuendam. 'Attribuo' is the technical word for giving public money on account.

P. 77. l. 1. **Supremo suo die,** 'on the day of his funeral;' an expression which is perhaps without an exact parallel, though 'supremus' is commonly used in reference to the various portions of the funeral rites. Cp. 'Supremi tori' Ov. Fast. 6. 668; 'Supremus ignis' id. Am. 1. 15, 41.

Efferri, ἐκφέρεισθαι, 'should be carried out to burial.'

l. 3. **E republica aestimare,** 'consider it to the interest of the state.'

l. 4. **Edictum,** 'the bye-law.' ('edictum perpetuum,') promulgated by the aediles on entering office, to regulate the expenses permissible at funerals. Though these 'edicta' were only technically in force for the year of the magistrate's tenure of office, it was the custom for those which were found to work well to be re-erected from year to year.

l. 5. **Remittero,** 'to relax in favour of the funeral of Sulpicius.'

l. 6. **In campo Esquilino.** On that part of the Esquillae which was outside of the Agger of Servius Tullius. See on 1. 2, 5. The more usual place for public funerals was in the Campus Martius, the Campus Esquilinus being also used as a burial-ground for the lowest class of citizens (Hor. S. I. 8, 10); but from the *magna sepulchra* which Horace mentions (ib. 35) it would seem that some at least of the higher classes were buried there. The site of the burial-ground was turned into a kind of public park by Maecenas (ib. 14).

l. 10. **Uti, &c.,** 'with the firmest title that is ever given by authority of the state for a place of burial.' A somewhat fuller formula would be 'eodem iure quo quod optimo iure . . . datum esset.'

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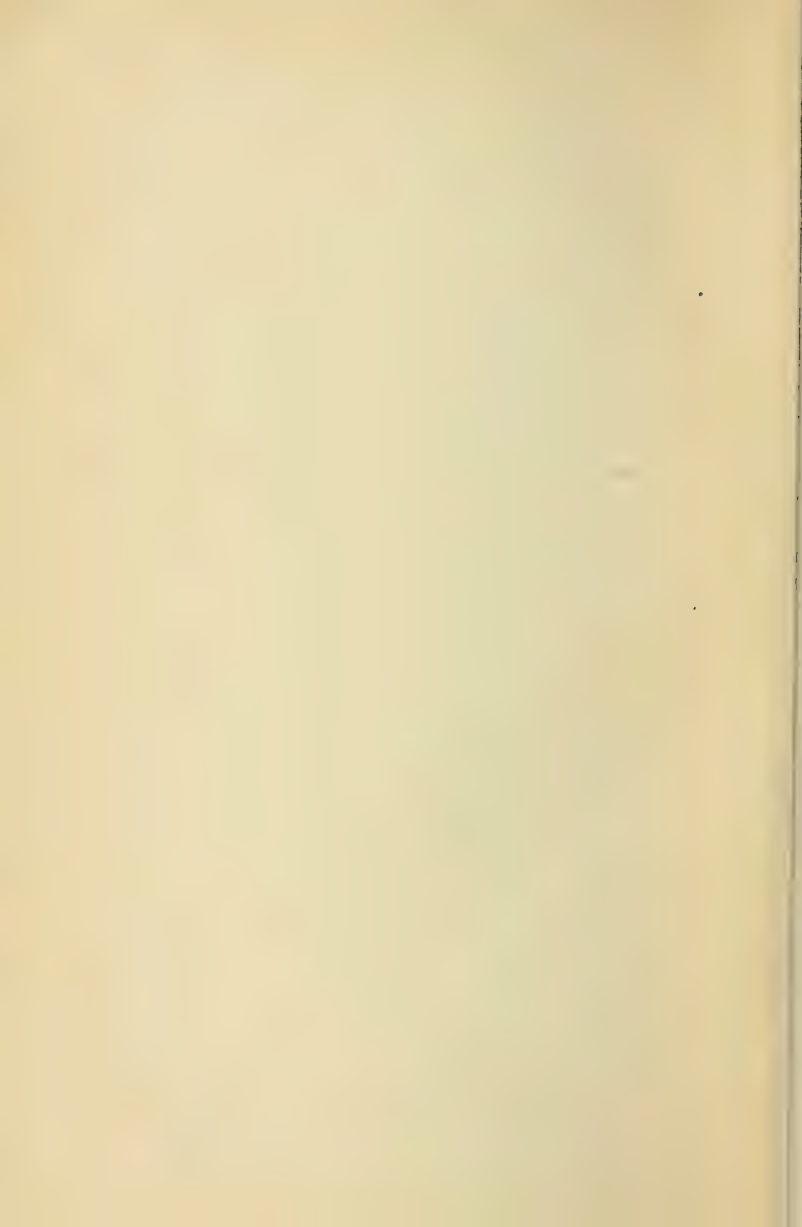
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